

FRIDAY, APRIL 29, 1988

NINETIETH LEGISLATIVE DAY

The House met at 8.30 a.m. and was called to order by Mr. Speaker Murray.

The proceedings were opened with prayer by Dr. Bill Dalglish, Epiphany Episcopal Church, Lebanon, Tennessee, guest of Representative Joe Bell.

Representative Joe Bell led the House in the Pledge of Allegiance to the Flag.

The Roll Call was taken with the following results:

Present 93

Representatives present were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, King, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

The Speaker announced that Representative Davis (Knox) was excused because of prior business commitments.

The Speaker announced that Representative Moody was excused because of prior business commitments.

The Speaker announced that Representative L. Turner (Shelby) was excused because of car trouble.

The Speaker announced that Representative Winningham was excused because of out of town business.

REMARKS

MR. SPEAKER:

On yesterday, while thinking that Representative John Tanner was out of the Chamber but in the building, I erroneously voted him on several bills, including Senate Bill No. 1079.

It was my mistake. I apologize to you, Rep. Tanner, and the members of the House of Representatives. I request that these remarks be spread in the Journal of the House of Representatives for today, Friday, April 29, 1988.

Respectfully,
Robert S. Stallings

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REGULAR CALENDAR

House Bill No. 2018 -- Landlord and Tenant -- Prohibits prohibition of flotation bedding system in rental agreement. Amends TCA, Title 66.

On motion of Rep. Wheeler, House Bill No. 2018 was withdrawn from the House.

***House Bill No. 0101** -- Administrative Procedure Rules and Regulations -- Enacts "Government Regulation Reform Act of 1987". Amends TCA Titles 1 - 70. Amends TCA, Titles 1, 70.

Rep. Copeland moved to have House Bill No. 101 held on the Clerk's desk, which motion prevailed.

MOTION TO SUSPEND RULES

Rep. Severance moved that the rules be suspended for the purpose of introducing House Resolution No. 159 out of order, which motion prevailed.

House Resolution 0159 -- Naming and Designating -- Urges Knox County Solid Waste Authority to name new Knox County incinerator. by *May, *Peroulas, *Severance.

Rep. Severance moved to suspend the rules for the immediate consideration of the resolution, which motion was objected to.

On motion of Rep. Severance, House Resolution No. 159 was withdrawn from the House.

REGULAR CALENDAR, CONTINUED

***House Bill No. 2107** -- School Transportation -- Requires boards of education to provide buses for children living beyond certain distance from school. Amends TCA 49-6-2101.

Further consideration of House Bill No. 2107, previously considered on April 28, 1988, at which time Amendment No. 2 was adopted.

Rep. Moore (Lawrence) moved that House Bill No. 2107 be passed on third and final consideration.

Rep. Moore (Lawrence) moved to amend as follows:

Amendment No. 3

Amend House Bill No. 2107 by deleting Section 1 in its entirety and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 49-6-2101(a), is amended by adding the following language at the end of the subsection:

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Provided, however, in any county having a population of not less than thirty-four thousand seventy-five (34,075) nor more than thirty-four thousand one hundred seventy-five (34,175) or having a population of not less than eighty-five thousand seven hundred twenty-five (85,725) nor more than eighty-five thousand eight hundred twenty-five (85,825) according to the 1980 federal census or any subsequent federal census the school board of such counties shall provide the same level of school transportation as was provided in the 1987-88 school year.

On motion, Amendment No. 3 was adopted.

Thereupon, Rep. Moore (Lawrence) moved that House Bill No. 2107, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	72
Noes.	10
Present and not voting.	8

Representatives voting aye were: Bell, Bivens, Buck, Burnett, Byrd, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Ellis, Frensley, Gaia, Garrett, Hassell, Hawkins, Head, Herron, Hillis, Hobbs, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stallings, Tanner, Turner (Hamilton), Ussery, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 72.

Representatives voting no were: Bewley, Bragg, Chiles, Coffey, Harrill, Henry, Holcomb, Stafford, Tankersley, Webb -- 10.

Representatives present and not voting were: Cain, Duer, Good, McAfee, Nance, Shirley, Starnes, Swann -- 8.

A motion to reconsider was tabled.

CONSENT CALENDAR

House Bill No. 2526 -- Anderson County -- Urges county legislative body to call election to abolish office of county superintendent of public instruction. Repeals Chapter 23, Private Acts of 1981.

On motion, House Bill No. 2526 was made to conform with Senate Bill No. 2553.

On motion, **Senate Bill No. 2553**, on same subject, was substituted for House Bill No. 2526.

Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, and

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that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.....	91
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensey, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 91.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 0067 -- Child Abuse --** Requires specific rules and regulations for keeping records and performing investigations in child abuse and child sexual abuse cases. Amends TCA, Title 37, Ch. 1, Pts. 4, 6.

Senate Amendment No. 2

Amend House Bill No. 67 by adding to the end of the amendatory language of Section 1 designated (b)(2) the following words:

except such volunteer who is a parent, a grandparent, a person with whom a child permanently resides, or a person having legal custody of a child at such agency or facility

Rep. Love moved that the House concur in Senate Amendment No. 2, which motion prevailed by the following vote:

Ayes.....	91
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Duer, Ellis, Frensey, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford,

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Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 91.

A motion to reconsider was tabled.

***House Bill No. 1406** -- General Assembly -- Exempts member of General Assembly from penalties imposed by licensure boards if conflict caused by attendance at sessions or committee meetings.

Senate Amendment No. 1

Amend House Bill No. 1406 by deleting Section 1 in its entirety and by substituting instead the following:

SECTION 1. Notwithstanding any provision of law or rule to the contrary, a member of the general assembly shall not be considered as participating in a business or occupation on a part time or temporary basis because of such member's attendance at sessions or committee meetings of the general assembly.

Rep. Hobbs moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes.	85
Noes.	5

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Bushing, Byrd, Cain, Clark, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Duer, Ellis, Frensley, Gaia, Garrett, Good, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Yelton, Mr. Speaker Murray -- 85.

Representatives voting no were: Chiles, Copeland, Harrill, Scruggs, Wood -- 5.

A motion to reconsider was tabled.

***House Bill No. 1649** -- Attorneys at Law -- Establishes the Client Security Fund of Tennessee.

Senate Amendment No. 1

Amend House Bill No. 1649 by deleting the words "declares" following "Therefore, the General Assembly" and inserting the word "suggests" and further striking the words "should establish, create and administer in the same sentence and inserting the words "consider establishing"

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Rep. Curlee moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes.	93
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

A motion to reconsider was tabled.

House Bill No. 1710 -- Gas, Petroleum Products, Volatile Oils -- Enacts "Tennessee Petroleum Underground Storage Tank Act". Amends TCA, Title 68.

Senate Amendment No. 9

Amend House Bill No. 1710 by deleting the first word from the effective date clause, and by substituting instead the following language:

The provisions of Section 26 added by House Amendment No. 2, and for

Senate Amendment No. 10

Amend House Bill No. 1710 by deleting in the first sentence of Section 18 the words "punitive damages" and substituting the words "a penalty".

AND FURTHER AMEND by deleting in the second sentence of Section 18 the words "the punitive damages" and substituting the words "this penalty".

AND FURTHER AMEND by deleting in the second sentence of Section 18 the words "such punitive damages" and substituting the words "such penalty".

AND FURTHER AMEND by deleting in the third sentence of Section 18 the words "punitive damages" and substituting the word "penalty".

Rep. Starnes moved that the House concur in Senate Amendments Nos. 9 and 10, which motion prevailed by the following vote:

Ayes.	94
Noes.	0

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Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

House Bill No. 1758 -- Economic and Community Development -- Expands application of Local Neighborhood Model Development Corporation Act to certain counties. Amends TCA, Title 13, Ch. 13, Pt. 1.

Senate Amendment No. 3

Amend House Bill No. 1758 by adding the following language as a new appropriately numbered section immediately preceding the effective date section, and by renumbering the effective date section accordingly:

SECTION . Tennessee Code Annotated, Section 13-13-104(e) is further amended by inserting the following language in the last sentence after the words "house district" and the semi-colon ";":

or the thirty-third (33rd) senatorial district in

Memphis, as appropriate

Section 13-3-104(e), is further amended by inserting the following language after the designation "3-1-103," in the first sentence:

or the thirty-third (33rd) senatorial district in Memphis as defined by Section 3-1-102,

Rep. Drew moved that the House concur in Senate Amendment No. 3, which motion prevailed by the following vote:

Ayes.	91
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, King, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton),

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Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 91.

A motion to reconsider was tabled.

House Bill No. 1809 -- Licenses -- Revises registration, training, and application fee requirements under Private Protective Security Services Act. Amends TCA, Title 62, Ch. 35.

Senate Amendment No. 4

Amend House Bill No. 1809 by adding at the end of Section 2 the following new paragraph:

Tennessee Code Annotated, Section 62-35-103, is further amended by adding the following new item:

() An employee in the course and scope of employment of an armored motor vehicle service which transports cash, securities, and other items of value.

Senate Amendment No. 5

Amend House Bill No. 1809 and TCA 62-35-117 4(B)(d) by deleting the word "carrying" and substituting in lieu thereof the word "shooting".

Rep. Kisber moved that the House concur in Senate Amendments Nos. 4 and 5, which motion he then withdrew; and moved instead that the House nonconcur in Senate Amendment No. 4, which motion prevailed.

Rep. Kisber moved that the House concur in Senate Amendment No. 5, which motion prevailed.

House Bill No. 1828 -- Claims Commission, Tennessee -- Permits claims commission to hear certain claims based on contracts between certain property owners and Chickasaw Basin Authority. Amends TCA, Title 9, Ch. 8.

Senate Amendment No. 4

Amend House Bill No. 1828 by deleting from the amendatory language of Section 1(a) the word "determain" and by substituting instead the word "determine".

AND FURTHER AMEND by deleting from the amendatory language of Section 1(a) the words "loss of land" and substituting instead the words "loss of land, either directly or indirectly".

AND FURTHER AMEND by inserting in the first sentence of the amendatory language of Section 1(b) the words "or the property owner," after the word "Authority" and before the words "had no control".

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AND FURTHER AMEND by deleting from the first sentence of the amendatory language of Section 1(b) the word "form" and by substituting instead the word "from".

AND FURTHER AMEND by deleting from the second sentence of the amendatory language of Section 1(b) the word "by" and by substituting instead the word "be".

Rep. C. Turner (Shelby) moved that the House concur in Senate Amendment No. 4, which motion prevailed by the following vote:

Ayes.	92
Noes.	0
Present and not voting.	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 92.

Representative present and not voting was: Dixon -- 1.

A motion to reconsider was tabled.

Senate Bill No. 1929 -- Drugs -- Provides for drug testing of students. Amends TCA, Title 49, Ch. 6.

Rep. Davis (Gibson) moved that the House refuse to recede from our action in adopting Amendment No. 4, which motion prevailed.

House Bill No. 1935 -- Health -- Creates Tennessee public school nurse program. Amends TCA, Titles 49, 68.

Senate Amendment No. 1

Amend House Bill No. 1935 by adding to the first sentence of Section 1(c)(2) the phrase "or local education agencies" between the words "district health department" and "across the state;"

Further amend Section 1 (c)(2) in the second sentence by adding the phrase "or local education agencies" between the words "those health departments" and "which serve counties".

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Senate Amendment No. 5

Amend House Bill No. 1935 by inserting the following language as a new section immediately preceding the effective date section and by appropriately renumbering such effective date section:

SECTION _____. The provisions of this act shall not be construed to terminate the ability of a local education agency to locally employ and supervise school nurses who are not employees of the Tennessee public school nurse program.

Rep. Duer moved that the House concur in Senate Amendments Nos. 1 and 5, which motion prevailed by the following vote:

Ayes.	92
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Duer, Ellis, Frenslley, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 92.

A motion to reconsider was tabled.

House Bill No. 2001 -- Insurance, Health, Accident -- Enacts "Medicare Supplement Insurance Protection Act of 1988". Amends TCA, Title 47, Ch. 18; Title 56, Chs. 6, 7.

Senate Amendment No. 1

Amend House Bill No. 2001 by deleting all of the language after the enacting clause and by substituting instead the following:

SECTION 1. The purpose of this act is to:

- (a) Promote the public interest;
- (b) Protect potential buyers of medicare supplement insurance; and
- (c) Protect the elderly from unscrupulous agents and companies.

SECTION 2. The requirements of this act shall apply to policies delivered or issued for delivery in the state on or after January 1, 1989. This act is not intended to supersede the obligations of entities subject to this act to comply

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with the substance of other applicable insurance laws insofar as they do not conflict with this act.

SECTION 3. This act may be known and cited as the "Medicare Supplemental Insurance Protection Act of 1988."

SECTION 4. Tennessee Code Annotated, Section 56-7-1404(a), is amended by deleting the first sentence in its entirety and by substituting instead the following:

In order to provide for full and fair disclosure in the sale of medicare supplement insurance policies, no policy shall be delivered or issued for delivery in this state unless the outline of coverage described in subsection (b) of this section is delivered when the agent first discusses the policy's provisions or limits of coverage with the applicant. In the case of direct response solicitation, the insurer shall include the outline of coverage when an application is distributed to the potential buyer.

SECTION 5. Tennessee Code Annotated, Section 56-7-1404(b), is amended by adding the following new item:

(5) A statement of whether or not the premiums will increase because of policyholder's age.

SECTION 6. Tennessee Code Annotated, Section 56-7-1404(e), is amended by deleting from the first sentence the language "ten (10) days" and by substituting instead the language "thirty (30) days".

SECTION 7. Tennessee Code Annotated, Section 56-7-1404(e), is amended by adding the following language at the end of the subsection:

Upon the return of such policy by the policyholder, the company shall mail the refund directly to the policyholder and shall not require the policyholder to meet with an agent to receive the refund.

SECTION 8. Tennessee Code Annotated, Section 56-7-1402(a)(10), is amended by deleting item (10) in its entirety and by substituting instead the following:

(10) Requirements for replacement and duplication, which shall include a requirement that the agent either give to the applicant, prior to the completion of the application, a policy comparison provided by the department of commerce and insurance, or before delivery of the policy a written notice required by the commissioner which includes a statement signed by the agent as to which of the three (3) conditions authorizing replacement under Section 11(b)(1)(G), of this act is applicable. This provision shall have no application to direct response sales.

SECTION 9. Tennessee Code Annotated, Section 56-7-1404, is amended by adding the following new subsections at the end of the section:

(f) The commissioner shall promulgate regulations dealing with the disclosure of what policies pay on the Medicare Part B services (doctor

bills) which are in excess of medicare's approved charges. The regulations shall require that the outline of coverage shall explain medicare assignment and state in clear, concise, understandable, standardized language what the policy pays when the doctor does not accept assignment. Such description shall be labeled "Excess doctor bills" and shall be separated from the other Part B descriptions and shall include any upper limit on policy payment and any deductible. The commissioner shall, to the greatest extent possible, require the outline of coverage to state what the policy pays on such "excess doctor bills" in terms of:

(1) The difference or percentage of the difference between the actual doctor charges and medicare's approved charges with any upper limit on the policy payment described as a percentage of medicare's approved charges; or

(2) An additional percentage of medicare's approved charges; or

(3) The difference or a percentage of the difference between usual and customary charges and medicare's approved charges with any upper limit on policy payment clearly described; or

(4) For any other policy using a different method of calculating the policy's payment for excess doctor charges, a clear description of such policy payment.

(g) The commissioner shall also require the outline of coverage to state what the policy will pay in the following three (3) different examples of doctor bills:

(1) When the doctor bill is identical to medicare's approved charges;

(2) When the doctor bill is thirty percent (30%) higher than medicare's approved charges; and

(3) When the doctor bill is sixty percent (60%) higher than medicare's approved charges.

SECTION 10. With respect to any policy of medicare supplement insurance in a replacement transaction, as the term has been defined by the commissioner, the following are unfair or deceptive acts and shall be sanctioned as provided in Tennessee Code Annotated, Title 56, Chapter 8:

(a) In the case of any insurer, failing to provide an unconditional refund prior to or at least thirty (30) days from the date of delivery of the policy;

(b) In the case of any insurer failing to send any notice required by statute or rule to an existing insurer; or

(c) In the case of replacement of a medicare supplement insurance policy, failing to give notice to an applicant for medicare supplement insurance of the adverse consequences which may result from surrendering an existing insurance policy prior to the determination of

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insurability by the replacing insurer. The notice shall be in the form prescribed by the commissioner, and receipt of such notice shall be acknowledged by signature of the applicant. A copy of the signed notice shall be provided to the existing insurer in accordance with rules adopted by the commissioner.

SECTION 11.

(a) An insurance company or agent which commits an unfair or deceptive act in the sale or offering for sale or administration of medicare supplement insurance shall be subject to the Consumer Protection Act as set forth in Tennessee Code Annotated, Title 47, Chapter 18, Part 1, except for Sections 47-18-106 through 108, the second sentence of Section 47-18-115, and the following language from Section 47-18-113(a):

provided, however, the provisions of this part shall not alter amend or repeal the provisions of the Uniform Commercial Code relative to express or implied warranties or the exclusion or modification of such warranties.

Provided, however, nothing in this act shall require or authorize the consumer affairs division to duplicate the services being provided or the regulatory authority being exercised by the insurance division of the department of commerce and insurance.

(b) In the sale, offering for sale or administration of medicare supplement insurance, unfair or deceptive acts shall include, but not be limited to:

(1) In the case of the insurance agent:

(A) Misrepresenting the terms of the policy.

(B) Inaccurately filling out an insurance application when the agent knows or has reason to know it is inaccurate.

(C) Failing to comply with all requirements of this act.

(D) Knowingly selling duplicative policies to a policyholder without an increase in benefits which includes a requirement that the policies pay to the full extent of benefits notwithstanding the existence of other coverage.

(E) Knowingly selling a medicare supplement insurance policy to someone who receives medicaid unless the applicant represents in writing to the agent that he or she has a reasonable expectation of losing medicaid coverage due to an increase in income or resources or a change in living situation. The insurance agent or company must promptly notify the department and give the name and address of those individuals who have purchased a policy in conjunction with medicaid.

(F) Selling a medicare supplement insurance policy to someone who already has a medicare supplement insurance policy unless the new policy

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covers pre-existing conditions to the extent of the existing policy immediately or within the timeframe of the existing policy.

(G) Selling a medicare supplement insurance policy to someone who already has a medicare supplement insurance policy unless the policy provides for an increase in benefits or a decrease in premiums or is to replace a policy where the applicant is not satisfied with the service received.

(2) In the case of a company:

(A) Failing to ask in the application whether the applicant receives medicaid. In the case of direct response insurers, the question may be asked in a supplement to the application.

(B) Failing to ask in the application whether the applicant has a medicare supplement insurance policy. In the case of direct response insurers, the question may be asked in a supplement to the application.

(C) Encouraging agents to: 1) sell duplicative or replacement policies that are in violation of this act or rules promulgated thereunder; or 2) commit unfair or deceptive acts; or both.

(D) Using advertising or outlines of coverage, or both, which have not been filed with the department of commerce and insurance in accordance with its rules and regulations or which have been disapproved by the department in accordance with such rules.

(E) Failing to comply with all requirements of this act.

SECTION 12. Regulations adopted pursuant to this act shall be promulgated in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 13. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any other provision or application of this act which can be given effect without such invalid provision or application.

SECTION 14. For the purpose of promulgating rules to implement this act, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect on January 1, 1989.

Rep. Herron moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes.....	93
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Duer,

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Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

A motion to reconsider was tabled.

House Bill No. 2032 -- Architects -- Establishes license requirements for landscape architects. Amends TCA, Title 62, Ch. 2.

Senate Amendment No. 1

Amend House Bill No. 2032 by deleting Sections 1 through 40 in their entirety and substituting instead the following new sections:

SECTION 1. Tennessee Code Annotated, Section 62-2-101, is amended by deleting the words "and engineering" and substituting instead the words ", engineering and landscape architecture".

Tennessee Code Annotated, Section 62-2-101, is further amended by deleting the words "or engineering" wherever they appear and substituting instead the words ", engineering or landscape architecture".

SECTION 2. Tennessee Code Annotated, Section 62-2-102, is amended in the first sentence by deleting the words "or engineering by" and substituting instead the words ", engineering or landscape architecture by".

Tennessee Code Annotated, Section 62-2-102, is further amended in the first sentence by deleting the words "or 'engineer' or an" and substituting instead the words "or 'engineer' or 'landscape architect' or an".

Tennessee Code Annotated, Section 62-2-102, is further amended in the first sentence by deleting the words "or 'engineering' or both" and substituting instead the words "or 'engineering' or 'landscape architecture' or all three".

Tennessee Code Annotated, Section 62-2-102, is further amended in the first sentence by deleting the words "architect or engineer" and substituting instead the words "architect, engineer or landscape architect".

Tennessee Code Annotated, Section 62-2-102, is further amended in the last sentence by deleting the words "or engineering" and substituting the words ", engineering or landscape architecture".

SECTION 3. Tennessee Code Annotated, Section 62-2-103, is amended in item (2) by deleting the words "or engineering" and substituting instead the words ", engineering or landscape architectural".

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Tennessee Code Annotated, Section 62-2-103, is further amended in item (2) by deleting the words "or registered engineer" and substituting instead the words ", registered engineer or registered landscape architect".

Tennessee Code Annotated, Section 62-2-103, is further amended in item (2) by deleting the words "or engineer" and substituting instead the words ", engineer or landscape architect".

SECTION 4. Tennessee Code Annotated, Section 62-2-103, is amended in item (3) by deleting the words "or engineers" and "or engineer" wherever they appear and by substituting instead the words ", engineers, or landscape architects" and ", engineer or landscape architect" respectively.

SECTION 5. Tennessee Code Annotated, Section 62-2-103, is further amended in item (4) by deleting the words "or engineers" and substituting instead the words ", engineers or landscape architects".

Tennessee Code Annotated, Section 62-2-103, is amended in item (4) by deleting the words "or engineering and" and substituting instead the words ", engineering, or landscape architecture and".

Tennessee Code Annotated, Section 62-2-103, is further amended in item (4) by deleting the words "or engineering services" and substituting instead the words ", engineering or landscape architectural services".

SECTION 6. Tennessee Code Annotated, Section 62-2-104, is amended in subsection (a) by deleting the words "and engineers under" and substituting instead the words ", engineers and landscape architects under".

Tennessee Code Annotated, Section 62-2-104, is further amended in subsection (a) by deleting the words "or registered engineers" and substituting instead the words ", registered engineers or registered landscape architects".

Tennessee Code Annotated, Section 62-2-104, is further amended in subsection (b) by deleting the words "or 'engineer'" and substituting instead the words ", 'engineer' or 'landscape architect'".

SECTION 7. Tennessee Code Annotated, Section 62-2-105, is amended in subsections (b) and (c) by deleting the words "or architecture" wherever they appear and substituting instead the words ", architecture or landscape architecture".

Tennessee Code Annotated, Section 62-2-105, is further amended in subsection (c) by deleting the words "or engineer" wherever they appear and substituting instead the words ", engineer or landscape architect".

SECTION 8. Tennessee Code Annotated, Section 62-2-106, is amended by deleting the words "or engineer" and substituting instead the words ", engineer or landscape architect".

Section 9. Tennessee Code Annotated, Section 62-2-107, is amended in subsection (a) by deleting the words "or engineering" and substituting instead the words ", engineering or landscape architecture".

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Section 10. Tennessee Code Annotated, Section 62-2-201, is amended in subsection (a)(2) by deleting the words and figures "six (6)" and substituting the words and figures "seven (7)".

Tennessee Code Annotated, Section 62-2-201, is further amended in subsection (a)(2) by deleting the word "and" after the word "state," and before the word "three" and by adding to the end of the sentence the following words:

and one (1) to be a registered landscape architect appointed by the governor from a list of nominees submitted by the representative professional landscape architecture society of the state

Section 11. Tennessee Code Annotated, Section 62-2-201, is further amended in subsection (a)(4) by adding the following new sentence:

The member who is a registered landscape architect shall be appointed to serve for a period of four (4) years; provided, however, that the successor of such member shall be appointed from a grand division of the state different from his predecessor.

Section 12. Tennessee Code Annotated, Section 62-2-202, is amended in subsection (a) by deleting the words "or ten" and substituting instead the word "ten" and further amend by inserting after the words "registered engineer," and before the words "and shall" the following words:

or ten (10) years experience in the practice of landscape architecture as a registered landscape architect,

Section 13. Tennessee Code Annotated, Section 62-2-203, is amended in subsection (a) by deleting the words "or engineering" and substituting instead the words ", engineering or landscape architecture".

Section 14. Tennessee Code Annotated, Section 62-2-204, is amended in subsection (c) by deleting the following words:

"A quorum of the board shall consist of not less than four (4) members of whom two (2) shall be architects and two (2) shall be engineers;"

and by substituting instead the following words:

A quorum of the board shall consist of not less than five (5) members, of whom two (2) shall be architects, two (2) shall be engineers and one (1) shall be a landscape architect; or three (3) shall be architects and two (2) shall be engineers or two (2) shall be architects and three (3) shall be engineers;

Tennessee Code Annotated, Section 62-2-204, is further amended in subsection (c) by deleting the word "and" before the words "for the purpose" and further amend by adding to the end of such sentence the following words:

and for the purpose of determining the qualifications of applicants for registration as landscape architects a quorum shall consist of not less than one (1) landscape architect member of the board

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Section 15. Tennessee Code Annotated, Section 62-2-301, is amended by deleting the words "or as an engineer" and substituting instead the words ", as an engineer or as a landscape architect".

Tennessee Code Annotated, Section 62-2-301, is further amended by deleting the words "or engineering" and substituting instead the words ", engineering or landscape architecture" and further amend by deleting the words "license as both architect and engineer" and substituting instead the words "any combination of licenses as architect, engineer or landscape architect".

Section 16. Tennessee Code Annotated, Section 62-2-302, is amended in subsection (a) by adding to the end of the sentence the following new words:

; in determining the qualifications of applicants for registration as landscape architects, the one (1) landscape architect board member and one (1) architect or engineer board member only shall be required

Tennessee Code Annotated, Section 62-2-302, is amended in subsection (b) by adding the following new sentence:

Applicants for registration as landscape architects shall be examined by the landscape architect member and one (1) architect and engineer member of the board.

Section 17. Tennessee Code Annotated, Section 62-2-304, is amended in subsection (a) by deleting the words "or engineering" and substituting instead the words ", engineering or landscape architect" and is further amended by deleting the words "or engineers" and substituting instead the words ", engineers or landscape architects".

Section 18. Tennessee Code Annotated, Section 62-2-306, is amended in subsection (a) by deleting the words "or engineer" and substituting instead the words ", engineer or landscape architect".

Tennessee Code Annotated, Section 62-2-306, is further amended in subsection (b) by deleting the words "and registered engineer" and substituting instead the words ", registered engineer and registered landscape architect".

Tennessee Code Annotated, Section 62-2-306, is further amended in subsection (b) by deleting the words "or 'Registered Engineer'" and substituting instead the words ", 'Registered Engineer' or 'Registered Landscape Architect'".

Tennessee Code Annotated, Section 62-2-306, is further amended in subsection (b) by adding after the words "of 'Tennessee'" the words "or 'Tennessee'".

Tennessee Code Annotated, Section 62-2-306, is further amended in the third sentence of subsection (b) by deleting the words "or engineer" and substituting instead the words

", engineer or landscape architect".

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Tennessee Code Annotated, Section 62-2-306, is further amended in subsection (c) by deleting the words "or registered engineers" wherever they appear and substituting instead the words ", registered engineers or registered landscape architects".

Tennessee Code Annotated, Section 62-2-306, is further amended in subsection (d) by deleting the words "and engineering" and substituting instead the words ", engineering and landscape architectural".

Section 19. Tennessee Code Annotated, Section 62-2-308, is amended by deleting the words "or engineer" wherever they appear and substituting instead the words ", engineer or landscape architect" and is further amended by deleting the words "or engineering" wherever they appear and substituting instead the words ", engineering or landscape architecture".

Tennessee Code Annotated, Section 62-2-308, is further amended by deleting the words and figures "four (4)" wherever they appear and substituting instead the words and figures "five (5)".

Section 20. Tennessee Code Annotated, Section 62-2-601, is amended by deleting the words "or architectural" wherever they appear and substituting instead the words ", architectural or landscape architectural" and is further amended by deleting the words "or engineering" wherever they appear and substituting instead the words ", engineering or landscape architecture", and is further amended by deleting the words "and engineers" wherever they appear and substituting instead the words ", engineers and landscape architects".

Section 21. Tennessee Code Annotated, Section 62-2-602, is amended by deleting the words "or engineering" and substituting instead the words ", engineering or landscape architectural" and is further amended by deleting the words "or a registered engineer" and substituting instead the words ", a registered engineer or a registered landscape architect".

Section 22. Tennessee Code Annotated, Title 62, Chapter 2, Part 7, is amended by deleting the part in its entirety, by designating the present Part 6 of such chapter to be Part 7, and by adding the following new language as Part 6:

62-2-601. In addition to the successful completion of examination acceptable to the board, the following shall be considered as minimum evidence satisfactory to the board that an applicant is qualified for registration as a landscape architect.

(1) An applicant who is a graduate of a school of landscape architecture where the professional degree curriculum has been accredited and who has completed three (3) years of practical experience in landscape architectural work satisfactory to the board, of which not more than one (1) year of landscape architectural practical training and school may be concurrent;

62-2-602. (a) An accredited degree in landscape architecture shall be one which was accredited by the Landscape Architectural Accreditation Board (LAAB) at the time of graduation, or graduation was not more than two (2) academic years prior to accreditation.

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62-2-603. (a)(1) For the purpose of evaluating "practical experience in landscape architectural work," the board may utilize criteria and standards published by the Council of Landscape Architectural Registration Boards (CLARB).

(2) However, every applicant shall have not less than two (2) years of practical experience in an office of a practicing registered landscape architect.

(3) To receive credit for practical training time, applicant must be employed by the same employer for a period of not less than four (4) consecutive calendar months. The work month is considered to be one hundred forty (140) hours.

(b)(1) Experience acquired while employed by a registered landscape architect practicing as an individual will be credited as practical training only when acquired under the supervision of the practicing landscape architect in the course of his regular practice. Practice as a principal after proper landscape architectural registration by other jurisdictions may be accepted by the board as fulfilling the required experience in the office of a registered practicing landscape architect.

(2) Experience acquired while employed by a partnership or corporation engaging in the practice of landscape architecture will be credited as practical training only when acquired under the supervision of the partner or partners or the officer or officers who shall be the registered landscape architect or registered landscape architects exercising professional and supervisory control over the particular landscape architectural services rendered by the partnership or corporation.

(c) Practical experience as approved by the board and obtained while working in the government (United States), public or private service agencies covering the field of education, research, and in the service of such agencies as redevelopment authorities, Peace Corps, VISTA, HUD, other United States government and armed forces agencies multiplied by a factor of .75 may be considered as "practical experience" in landscape architectural work.

(d) Notwithstanding any provision herein, the board may refuse to credit as practical training experience acquired while employed by an individual or by any type of organization having any interest in any project or building prejudicial to or in conflict with the individual's or organization's professional interest therein.

62-2-604. (a) The written examination for candidates who are eligible for registration under 62-2-601 may be the current landscape architecture registration examination prepared by the Council of Landscape Architectural Registration Boards (CLARB), as accepted by the board.

(b) The board shall be responsible for administering and grading the examinations.

(c) Candidates will retain credit for any parts of the examination passed and shall be permitted to have unlimited retakes of any parts of the examination failed.

(d) The deadline date for receipt of applications for examination shall be at the discretion of the board. Each applicant eligible for written examination shall be notified of the dates set for each part of the examination, where it shall be held, and the instruments and materials he shall provide.

(e) The initial application fee shall entitle the candidate to one (1) examination of prescribed number of parts. An additional fee shall be required for the retaking and examination or parts thereof. No refunds will be made.

62-2-605. (a) Upon proper application the board may administer any part of the Council of Landscape Architectural Registration Board's examinations for candidates who have commenced such series of examinations in another state. Each such application shall be accompanied by an administration fee and endorsement by the landscape architectural registration board of original application. Separate applications as described above shall be filed for each year's examination.

(b) Upon proper application and meeting the qualifications outlined in section 62-2-601, the board will credit to a candidate any of the prescribed parts of the Council of Landscape Architectural Registration Boards' examinations successfully passed and properly attested to by another state or possession. The candidate may then take the remaining examination parts as set forth herein and if successfully completed under this jurisdiction, he may be registered by the board. The board will extend such transfer privileges only once to each applicant and shall accept transfer of grades only from the state of original application.

62-2-606. (a) When requested to do so, the board may allow candidates who have commenced examinations in Tennessee as outlined under subsection (a) of 62-2-604, to finish taking parts of these examinations in any other state provided the other state approved this procedure and has established a method of accomplishing it.

(b) The board shall upon proper application forward the grades achieved by a candidate in the various sections of the examination given under its jurisdiction to other duly constituted landscape architectural registration boards for their use in evaluating and utilizing such results in registering the individual within their jurisdiction. The request for such transfer shall include a statement of concurrence by the other board and a description of the information it will require. The candidate shall state his need for requesting transfer, and pay a fee established by the board. Such transfer shall terminate the candidate's current application to this board for registration.

62-2-607. (a) Whether conducted in this state or another state all records of the examinations shall be returned to the state board of registration of landscape architects where the series of examinations were commenced, for recording and licensure when successfully completed.

(b) After the written examination marks are properly recorded in the permanent record book, all examination books and papers over two (2) years old may be destroyed.

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Section 23. This act shall take effect on July 1, 1988, the public welfare requiring it.

Rep. Bivens moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes.....	90
Noes.....	1
Present and not voting.....	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 90.

Representative voting no was: Coffey -- 1.

Representative present and not voting was: Herron -- 1.

A motion to reconsider was tabled.

House Bill No. 1681 -- County Officers -- Restricts time limit for county legislative body to override veto of county executive. Amends TCA, Titles 2, 5.

Rep. Rhinehart moved to consider House Bill 1681 out of order, which motion prevailed.

Senate Amendment No. 1

Amend House Bill No. 1681 by adding before the effective date section the following new sections and by renumbering the effective date section accordingly:

SECTION_. Tennessee Code Annotated, Title 5, Chapter 6, is amended by adding the following new section:

Section__.

(1) The duties of the county executive in regard to any petition filed pursuant to Tennessee Code Annotated, Title 7, Chapter 82, are transferred to the water and wastewater treatment authority board under Tennessee Code Annotated, Title 68, Chapter 13, Part 6 in any county which has created such authority. Such petitions may be granted if the board determines in its sole discretion that the public convenience and necessity require the same. The

General Assembly enacts this section as a statement of its intent that this section is a clarification of Tennessee Code Annotated, Title 68, Chapter 13, Part 6. From and after the creation of a water and wastewater treatment authority and the establishment of its service area, the authority shall be the sole and exclusive provider of its authorized services in its service area. The designated service area for any particular function or service shall not include any area located within the boundaries of another governmental entity providing the same function or service on the date the service area is established. Different service areas may be established for different functions or services. The authority may cede all or any portion of its functions or service area to another governmental entity upon the board determining in its sole discretion that the public convenience and necessity require the same.

Rep. Rhinehart moved that the House nonconcur in Senate Amendment No. 1, which motion prevailed.

House Bill No. 2091 -- Courts, Supreme Court of Tennessee -- Removes daily cap placed upon compensation of court appointed attorneys and provides method by which such compensation can exceed the per case limitation. Amends TCA 40-14-207.

Senate Amendment No. 1

Amend House Bill No. 2091 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall not be construed to be an appropriation of funds and no funds shall be obligated or expended pursuant to this act unless such funds are specifically appropriated by the general appropriations act.

Rep. Burnett moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes.....	87
Noes.....	2

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Kent, Kernell, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 87.

Representatives voting no were: Chiles, Scruggs -- 2.

A motion to reconsider was tabled.

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House Bill No. 2162 -- Civil Service -- Permits appeals from civil service status proceedings to be heard de novo in circuit or chancery court. Amends TCA 27-9-114.

Senate Amendment No. 3

Amend House Bill No. 2162 by deleting Sections 1 and 2 in their entirety and substituting instead the following:

Section 1. Tennessee Code Annotated, Section 27-9-114, is amended by deleting it in its entirety and substituting instead the following:

() Judicial review of decisions by civil service boards of a county or municipality which affects the employment status of a county or city civil service employee shall be in conformity with the judicial review standards under Tennessee Code Annotated, Section 4-5-322, of the Uniform Administrative Procedures Act.

Provided, however, that petitions for judicial review of decisions by a city or county civil service board affecting the employment status of a civil service employee shall be filed in the Chancery Court of the County wherein the local civil service board is located.

() Contested case hearings by civil service boards of a county or municipality which affect the employment status of a civil service employee shall be conducted in conformity with contested case procedures under Tennessee Code Annotated, Section 4-5-301, et. seq. of the Uniform Administrative Procedures Act.

() In any appeal pursuant to this section deemed by the Court to be frivolous, the sanctions of Rule 11 of the Federal Rules of Civil Procedure may be applied by the Chancellors.

Section 2. This act shall take effect on January 1, 1989.

Senate Amendment No. 7

Amend House Bill No. 2162 as follows:

Section 1. Amend Subsection 2 of said section by adding the following:

() Provided, however, that Subsection 2 of this section pertaining to hearings by civil service boards shall not apply to municipal utilities boards."

Section 2. This Act shall take effect on January 1, 1989, the public welfare requiring it.

Rep. West moved that the House concur in Senate Amendments Nos. 3 and 7, which motion prevailed by the following vote:

Ayes.	90
Noes.	0

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Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Bushing, Byrd, Cain, Chiles, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 90.

A motion to reconsider was tabled.

MOTION TO RECONSIDER

***Senate Bill No. 2269 -- Criminal Offenses --** Revises certain provisions relative to child abuse and child sexual abuse.

Rep. Love moved to lift from the table the motion to reconsider on Senate Bill No. 2269.

Rep. Love moved to reconsider our action in passing Senate Bill No. 2269.

Rep. Love moved to reconsider our action in adopting Amendment No. 1.

On motion of Rep. Love, Amendment No. 1 was withdrawn.

Rep. Love moved to repass Senate Bill No. 2269 on third and final consideration, as amended, which motion prevailed by the following vote:

Ayes.....	88
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Kent, Kernell, Kisber, Lawson, Long, Love, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 88.

A motion to reconsider was tabled.

***House Bill No. 2286 -- Teenage Pregnancy --** Revises program of technical assistance for school based day care centers. Amends TCA, Title 49, Ch. 1.

Senate Amendment No. 1

Amend House Bill No. 2286 by deleting from the amendatory language of Section 2 the words and symbol "school based preschool/parenting learning center" and by substituting instead the words and symbol "public school based preschool/parenting learning center".

Rep. DeBerry moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes.	87
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensey, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Kent, Kernell, Kisber, Lawson, Long, Love, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 87.

A motion to reconsider was tabled.

House Bill No. 2329 -- State Employees -- Establishes sick leave bank. Amends TCA, Title 8, Ch. 50.

Senate Amendment No. 2

Amend House Bill No. 2329 in Section 1, Section __ (b)(2) by deleting the semicolon at the end of item (b)(2) and adding the following:

; provided, however, any sick leave banks for persons employed by the state which were authorized prior to the effective date of this act shall continue in operation and shall continue to be effective in terms of their enacting legislation;

Rep. Naifeh moved that the House concur in Senate Amendment No. 2, which motion prevailed by the following vote:

Ayes.	90
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensey, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U.

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(Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moore (Lawrence), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 90.

A motion to reconsider was tabled.

***House Bill No. 2340 -- Teenage Pregnancy -- Establishes program of technical support for LEAs which establish teen peer counseling groups. Amends TCA 37-3-108.**

Senate Amendment No. 2

Amend House Bill No. 2340 by adding the following language to the end of Section 1:

A primary policy and objective of the program of technical support and assistance shall be to encourage adolescents to abstain from premarital intimacy.

Rep. DeBerry moved that the House concur in Senate Amendment No. 2, which motion prevailed by the following vote:

Ayes.	92
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 92.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 412; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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HOUSE ACTION ON SENATE AMENDMENTS, CONTINUED

Rep. Drew moved to suspend the rules to call up House Bill No. 412 out of order.

***House Bill No. 0412 -- Taxes, Litigation --** Imposes litigation taxes on actions in certain courts in certain counties. Amends TCA, Title 67, Ch. 4.

Senate Amendment No. 5

Amend House Bill No. 412 by deleting from the third sentence of the amendatory language of Section 1 the language "to patrol areas" and by substituting instead the language "for walking patrols".

Rep. Drew moved that the House concur in Senate Amendment No. 5, which motion prevailed by the following vote:

Ayes.	91
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, Miller, Montgomery, Moore (Lawrence), Naifeh, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 91.

A motion to reconsider was tabled.

***House Bill No. 2342 -- Teenage Pregnancy --** Directs interdepartmental coordination council to develop and implement teen pregnancy public awareness campaign. Amends TCA 37-3-108.

Senate Amendment No. 2

Amend House Bill No. 2342 by adding the following sentence to the end of Section 1:

A primary policy and objective of the public awareness campaign shall be to encourage adolescents to abstain from premarital intimacy.

Rep. DeBerry moved that the House concur in Senate Amendment No. 2, which motion prevailed by the following vote:

Ayes.	91
Noes.	0

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Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Jackson, Jared, Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 91.

Representatives present and not voting were: -- 0.

A motion to reconsider was tabled.

***House Bill No. 2372 -- Teenage Pregnancy --** Directs certain state agencies to develop coordinated plan to address problems of teenage pregnancy. Amends TCA 37-3-108.

Senate Amendment No. 2

Amend House Bill No. 2372 by adding the following language at the end of Section 1:

A primary policy and objective of the plan shall be to encourage adolescents to abstain from premarital intimacy.

Rep. DeBerry moved that the House concur in Senate Amendment No. 2, which motion prevailed by the following vote:

Ayes.	94
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

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MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to request the return of House Bill No. 1367, for further consideration.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 2417 -- Insurance Companies, Agents, Brokers -- Establishes new licensing requirements for insurance agents. Repeals TCA 56-6-101--129.

Senate Amendment No. 1

Amend House Bill No. 2417 by deleting from Section 12(c) the words, figures, and symbols "fifty dollars (\$50.00)" and by substituting instead the following:

"twenty-five dollars (\$25.00)".

AND FURTHER AMEND by deleting from Section 12(d) the words, figures, and symbols "thirty dollars (\$30.00)" and by substituting instead the following:

"fifteen dollars (\$15.00)".

Senate Amendment No. 2

Amend House Bill No. 2417 by inserting between the second and third sentences of Section 1 the following new sentence:

To the extent that the provisions of this chapter are inconsistent with the provision of Sections 56-35-204 and 56-35-205, the provisions of this chapter shall control. To the extent the provisions of this chapter are inconsistent with the provisions of Sections 56-35-102 through 56-35-203, the provisions of this chapter are superseded.

AND FURTHER AMEND by deleting the text of item (7) under Section 8 and substituting the following:

Licensed attorneys in this state who act as title insurance agents as an ancillary part of their practice of law; or

Rep. Tanner moved that the House concur in Senate Amendments Nos. 1 and 2, which motion prevailed by the following vote:

Ayes.....	94
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee,

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Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

Mr. Speaker Murray relinquished the Chair to Rep. Bivens, Speaker pro tem.

Mr. Speaker Murray resumed the Chair.

***House Bill No. 1638** -- Gas, Petroleum Products, Volatile Oils -- Prohibits below cost gasoline sales by dealer and creates penalties. Amends TCA, Title 47, Ch. 25, Pt. 6.

Rep. Davidson moved to reconsider our action in nonconcurring with Senate Amendment No. 20, Division No. 2.

Senate Amendment No. 20, Division No. 2

AND FURTHER AMEND House Bill No. 1638 by adding the following new subdivision at the end of item 9 of the amendatory language of Section 1:

(D) The reasonable cost of overhead for petroleum distillates at that location.

Rep. Copeland moved the previous question, which motion prevailed.

Rep. Davidson renewed his motion to reconsider our action in nonconcurring with Senate Amendment No. 20, Division No. 2, which motion prevailed by the following vote:

Ayes.	54
Noes.	37
Present and not voting.	1

Representatives voting aye were: Bell, Bragg, Burnett, Byrd, Cain, Clark, Collier, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Garrett, Good, Head, Herron, Hillis, Hobbs, Holt, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, Kisber, Lawson, Long, Love, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Odom, Phillips, Pruitt, Ridgeway, Robinson (Davidson), Severance, Stallings, Starnes, Tanner, Turner (Hamilton), Turner, C. (Shelby), Webb, Wheeler, Wix, Yelton, Mr. Speaker Murray -- 54.

Representatives voting no were: Bewley, Bivens, Buck, Bushing, Chiles, Coffey, Copeland, Cross, Curlee, Davis (Cocke), Frensley, Gaia, Harrill, Hassell, Hawkins, Henry, Holcomb, Hurley, King, McAfee, Montgomery, Nance, Peroulas,

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Purcell, Rhinehart, Robinson (Washington), Scruggs, Shirley, Stafford, Swann, Tankersley, Ussery, West, Whitson, Williams, Wolfe, Wood -- 37.

Representative present and not voting was: Robinson (Hamilton) -- 1.

PRESENT IN CHAMBER

Representative L. Turner (Shelby) was recorded as being present in the Chamber.

HOUSE ACTION ON SENATE AMENDMENTS

Rep. Kisber moved that the House concur in Senate Amendment No. 20, Division No. 2.

Rep. Ivy moved the previous question, which motion failed by the following vote:

Ayes.....	58
Noes.....	34
Present and not voting.....	1

Representatives voting aye were: Bell, Bragg, Burnett, Byrd, Cain, Clark, Collier, Crain, Davidson, Davis (Cocke), Davis (Gibson), DePriest, Dixon, Drew, Duer, Garrett, Good, Head, Henry, Herron, Hillis, Hobbs, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Kent, Kernell, Kisber, Lawson, Long, Love, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Phillips, Pruitt, Ridgeway, Robinson (Davidson), Severance, Shirley, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner, C. (Shelby), West, Wheeler, Wix, Yelton, Mr. Speaker Murray -- 58.

Representatives voting no were: Bewley, Bivens, Buck, Bushing, Chiles, Coffey, Copeland, Cross, Curlee, DeBerry, Frensley, Gaia, Harrill, Hassell, Hawkins, Holcomb, Jones, R. (Shelby), King, McAfee, Montgomery, Peroulas, Rhinehart, Robinson (Hamilton), Robinson (Washington), Scruggs, Swann, Tankersley, Turner, L. (Shelby), Ussery, Webb, Whitson, Williams, Wolfe, Wood -- 34.

Representative present and not voting was: Purcell -- 1.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to request the return of House Bill No. 2131, for further consideration.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

HOUSE BILL RETURNED

The Clerk was directed to return House Bill No. 2131 to the Senate as requested.

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MOTION UNDER RULE NO. 36

Pursuant to **House Rule No. 36**, we the undersigned members request that the Calendar and Rules Committee meet and fix the time at which the question shall be closed on Division No. 2 of Senate Amendment No. 20, House Bill No. 1638.

Copeland
Buck
Chiles

Frensley
Scruggs

Under **Rule No. 36**, Mr. Speaker Murray moved to recess for five minutes to allow meeting of Calendar and Rules Committee.

MOTION TO RECESS

On motion of Mr. Speaker Murray, the House recessed for 5 minutes.

RECESS EXPIRED

The recess having expired, the House was called to order by Mr. Speaker Murray.

On motion of Mr. Naifeh, the roll call was dispensed with.

PARLIAMENTARY INQUIRY

Rep. Copeland inquired if House Bill 1638 was properly before the House under **Rule No. 64**. The Chair ruled that House Bill No. 1638 was properly before the House.

REPORT OF COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee reported that it had fixed the time limit for debate on Amendment No. 20, Division 2 and that the proponent, Rep. Kisber, was allotted five minutes and the opponents, Reps. Frensley, Bivens and Copeland, were allotted a total of five minutes.

*

HOUSE ACTION ON SENATE AMENDMENTS, CONTINUED

Rep. Kisber renewed his motion that the House concur in Senate Amendment No. 20, Division No. 2, which motion prevailed by the following vote:

Ayes.	51
Noes.	38
Present and not voting.	1

Representatives voting aye were: Bell, Bragg, Burnett, Byrd, Cain, Clark, Collier, Davidson, Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Duer, Garrett, Head, Henry, Herron, Hobbs, Holt, Huskey, Ivy, Jones, U. (Shelby), Kent, Kernell, Kisber, Lawson, Long, Love, Moore (Lawrence), Moore (Shelby), Naifeh, Napier,

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Phillips, Pruitt, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Severance, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner, C. (Shelby), Webb, West, Wheeler, Wix, Yelton, Mr. Speaker Murray -- 51.

Representatives voting no were: Bewley, Bivens, Buck, Bushing, Chiles, Coffey, Copeland, Cross, Curlee, Davis (Cocke), Frensley, Gaia, Harrill, Hassell, Hawkins, Hillis, Holcomb, Hurley, Jones, R. (Shelby), King, McAfee, Miller, Montgomery, Odom, Peroulas, Purcell, Rhinehart, Robinson (Washington), Scruggs, Shirley, Swann, Tankersley, Turner, L. (Shelby), Ussery, Whitson, Williams, Wolfe, Wood -- 38.

Representative present and not voting was: Jackson -- 1.

Senate Amendment No. 20, Division No. 3

AND FURTHER AMEND House Bill No 1638 by deleting the words "petroleum or related products" wherever they appear and by substituting instead the words "petroleum distillates".

AND FURTHER AMEND by deleting the words "petroleum product" wherever they appear and by substituting instead the words "petroleum distillate".

Rep. Kisber moved that the House concur in Senate Amendment No. 20, Division No. 3, which motion prevailed by the following vote:

Ayes.....	60
Noes.....	32

Representatives voting aye were: Bell, Bragg, Burnett, Byrd, Cain, Clark, Collier, Crain, Cross, Davidson, Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Duer, Gaia, Garrett, Good, Head, Henry, Herron, Hillis, Hobbs, Holt, Hurley, Huskey, Ivy, Jackson, Kent, Kernell, Kisber, Lawson, Long, Love, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Peroulas, Phillips, Pruitt, Purcell, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Severance, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner, C. (Shelby), Webb, West, Wheeler, Wix, Yelton, Mr. Speaker Murray -- 60.

Representatives voting no were: Bewley, Bivens, Buck, Bushing, Chiles, Coffey, Copeland, Curlee, Davis (Cocke), Frensley, Harrill, Hassell, Hawkins, Holcomb, Jones, R. (Shelby), Jones, U. (Shelby), King, McAfee, Montgomery, Odom, Rhinehart, Robinson (Washington), Scruggs, Shirley, Swann, Tankersley, Turner, L. (Shelby), Ussery, Whitson, Williams, Wolfe, Wood -- 32.

Senate Amendment No. 21

Amend House Bill No. 1638 by deleting the effective date section and substituting instead the following:

Section ____ This act shall take effect on July 1, 1988, the public welfare requiring it.

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Rep. Kisber moved that the House concur in Senate Amendment No. 21, which motion prevailed by the following vote:

Ayes.....	51
Noes.....	39
Present and not voting.....	1

Representatives voting aye were: Bell, Bragg, Burnett, Byrd, Cain, Clark, Collier, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Duer, Garrett, Good, Head, Henry, Herron, Hobbs, Holt, Huskey, Ivy, Kent, Kernell, Kisber, Lawson, Long, Love, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Phillips, Pruitt, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Severance, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner, C. (Shelby), Webb, Wheeler, Wix, Yelton, Mr. Speaker Murray -- 51.

Representatives voting no were: Bewley, Bivens, Buck, Bushing, Chiles, Coffey, Copeland, Cross, Curlee, Davis (Cocke), Frenslley, Gaia, Harrill, Hassell, Hawkins, Hillis, Holcomb, Hurley, Jones, R. (Shelby), King, McAfee, Miller, Montgomery, Odom, Peroulas, Purcell, Rhinehart, Robinson (Washington), Scruggs, Shirley, Swann, Tankersley, Turner, L. (Shelby), Ussery, West, Whitson, Williams, Wolfe, Wood -- 39.

Representative present and not voting was: Jackson -- 1.

A motion to reconsider was tabled.

BILL RECONSIDERED

***Senate Bill No. 1756 -- County Government -- Revises maximum compensation for certain county officials in certain counties. Amends TCA 8-24-102.**

Rep. Wheeler moved to lift from the table the motion to reconsider on Senate Bill No. 1756.

Rep. Wheeler moved to reconsider our action in passing Senate Bill No. 1756.

Rep. Bivens moved to reconsider our action in adopting Amendment No. 1.

On motion of Rep. Bivens, Amendment No. 1 was withdrawn.

Rep. Bivens moved to amend as follows:

Amendment No. 2

Amend Senate Bill No. 1756 by deleting the amendatory language of Section 1 as amended and substituting instead the following:

(c) Notwithstanding the provisions of this subsection to the contrary, in counties having a population of not less than sixty-seven thousand three hundred (67,300) nor more than sixty-seven thousand six hundred (67,600) according to the 1980 federal census of population or any subsequent federal census,.....\$38,000.

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On motion, Amendment No. 2 was adopted.

Thereupon, Rep. Wheeler moved that Senate Bill No. 1756, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	84
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Cross, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Kent, Kernell, Lawson, Long, Love, McAfee, Miller, Montgomery, Moore (Lawrence), Naifeh, Nance, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 84.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 1681.

The Senate lifted the tabling motion; reconsidered passage of the bill; reconsidered adoption of Amendment No. 1; withdrew Amendment No. 1; adopted Amendment No. 2, then repassed the bill on third and final consideration, as amended.

CLYDE McCULLOUGH, JR.,
Chief Clerk.

HOUSE ACTION ON SENATE AMENDMENT, CONTINUED

House Bill No. 1681 -- County Officers -- Restricts time limit for county legislative body to override veto of county executive. Amends TCA, Titles 2, 5.

Senate Amendment No. 2

Amend House Bill No. 1681 by adding before the effective date section the following new sections and by renumbering the effective date section accordingly:

SECTION . Tennessee Code Annotated, Title 5, Chapter 6, is amended by adding the following new section:

Section .

(1) The duties of the county executive in regard to any petition filed pursuant to Tennessee Code Annotated, Title 7, Chapter 82, are transferred to the water and wastewater treatment authority board under Tennessee Code Annotated, Title 68, Chapter 13, Part 6 in any county which has created such authority. Such petitions may be granted if the

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board determines in its sole discretion that the public convenience and necessity require the same. The General Assembly enacts this section as a statement of its intent that this section is a clarification of Tennessee Code Annotated, Title 68, Chapter 13, Part 6. From and after the creation of a water and wastewater treatment authority and the establishment of its service area, the authority shall be the sole and exclusive provider of its authorized services in its service area. The designated service area for any particular function or service shall not include any area located within the boundaries of another governmental entity providing the same function or service on the date the service area is established. Different service areas may be established for different functions or services. The authority may cede all or any portion of its functions or service area to another governmental entity upon the board determining in its sole discretion that the public convenience and necessity require the same.

Rep. Rhinehart moved that the House concur in Senate Amendment No. 2, which motion prevailed by the following vote:

Ayes.....	87
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Cross, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Kent, Kernell, Kisber, Lawson, Long, Love, McAfee, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 87.

Representative present and not voting was: Montgomery -- 1.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 1929.

The Speaker appointed a Conference Committee composed of Senators Burks, McNally and Moore to confer with a like committee from the House to resolve the differences of the two bodies on Senate Bill No. 1929.

CLYDE W. McCULLOUGH, JR.
Chief Clerk.

Senate Bill No. 1929 -- Drugs -- Provides for drug testing of students. Amends TCA, Title 49, Ch. 6.

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CONFERENCE COMMITTEE APPOINTMENT

MR. SPEAKER: Pursuant to House Rule No. 73, I move you, sir, that the Speaker appoint a Committee of the House to meet with a like committee from the Senate to resolve the differences between the two bodies on Senate Bill No. 1929.

The Speaker appointed Representatives Long, Jackson and Davis (Gibson) to this Conference Committee on Senate Bill No. 1929.

RULES SUSPENDED

Pursuant to Rule No. 53, Rep. Jared moved to recall Senate Joint Resolution No. 469 from the Calendar and Rules Committee for immediate consideration, which motion prevailed.

Senate Joint Resolution 0469 -- General Assembly, Proclamations -- Designates May 15 to 21, 1988 as "Police Memorial Week" and May 18, 1988 as "Police Memorial Day".

Rep. Jared moved to concur in Senate Joint Resolution No. 469.

Rep. Jared moved to amend as follows:

Amendment No. 1

Amend Senate Joint Resolution No. 469 by deleting from the caption the date "May 18, 1988" and substituting instead the date "May 15, 1988".

AND FURTHER AMEND by deleting from the first resolving clause the date "May 18, 1988" and substituting instead the date "May 15, 1988".

On motion, Amendment No. 1 was adopted.

Rep. Jared moved to concur in Senate Joint Resolution No. 469, as amended, which motion prevailed by the following vote:

Ayes.	89
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Coffey, Collier, Crain, Cross, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Duer, Ellis, Frensey, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, McAfee, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton -- 89.

A motion to reconsider was tabled.

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MOTION TO RECONSIDER

*House Bill No. 2352 -- Trade Regulation -- Enacts "Tennessee International Trade and Export Development Act of 1988". Amends TCA, Title 13, Ch. 27.

Rep. Cross moved to lift from the table the motion to reconsider House Bill No. 2352.

Rep. Cross moved to reconsider our action in passing House Bill No. 2352.

Rep. Cross moved to reconsider our action in concurring in Senate Amendment No. 1.

Rep. Cross moved that the House nonconcur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensey, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

HOUSE ACTION ON SENATE AMENDMENTS, CONTINUED

House Bill No. 2077 -- Criminal Offenses -- Decreases age limit for certain video cassette rentals; establishes rating for certain non-rated video cassettes. Amends TCA 39-6-1140.

Senate Amendment No. 1

* Amend House Bill No. 2077 by deleting from Section 3 the word, punctuation, and figures "July 1, 1988" and by substituting instead the word, punctuation, and figures "January 1, 1989".

Senate Amendment No. 2

Amend House Bill No. 2077 by deleting all of the language after the enacting clause and by substituting instead the following:

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SECTION 1. It shall be a misdemeanor for any person to knowingly rent or sell for monetary consideration to a minor a videocassette tape containing nudity, or sexual conduct which is harmful to minors without the consent of the minor's parents.

SECTION 2.

(a) "Nudity" means the showing of the human male or female genitals, pubic area or buttocks with less than a full opaque covering, or the showing of the female breast with less than a fully opaque covering of any portion thereof below the top of the nipple, or the depiction of covered male genitals in a discernibly turgid state.

(b) "Sexual conduct" means acts of masturbation, homosexuality, sexual intercourse, or physical contact with a person's clothed or unclothed genitals, pubic area, buttocks, or, if such person be a female, breast.

(c) "Harmful to minors" means that quality of a videocassette tape containing nudity, sexual conduct or excessive violence when it:

(1) predominantly appeals to the prurient, shameful or morbid interest of minors, and

(2) is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable material for minors, and

(3) is utterly without redeeming social or educational importance for minors according to a reasonable member of the adult community.

(d) "Knowingly" means having general knowledge of, or reason to know, or a belief or ground for belief which warrants further inspection or inquiry of both:

(1) the character and content of any material described herein which is reasonably susceptible of examination by the defendant, and

(2) the age of the minor, provided, however, that an honest mistake shall constitute an excuse from liability hereunder if the defendant made a reasonable bona fide attempt to ascertain the true age of such minor.

(e) "Minor" means any person under the age of seventeen (17) years.

SECTION 3. It shall be an affirmative defense to prosecution under this act to show that the minor or minors to whom the video cassette tape was sold or rented were at the time accompanied by their parent or legal guardian, or by an adult with the written permission of the parent or legal guardian.

SECTION 4. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

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SECTION 5. This act shall take effect July 1, 1988 the public welfare requiring it.

Rep. Moore (Lawrence) moved that the House concur in Senate Amendments Nos. 1 and 2, which motion prevailed by the following vote:

Ayes.	90
Noes.	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Coffey, Collier, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 90.

Representative voting no was: Turner, L. (Shelby) -- 1.

A motion to reconsider was tabled.

BILL RECALLED

Pursuant to **Rule No. 53**, Rep. Dixon moved to recall Senate Bill No. 1130 from the Senate, which motion prevailed.

Senate Bill No. 1130 -- Partnerships -- Revises certain provisions concerning limited partnerships. Amends TCA, Title 61, Ch. 2.

RULES SUSPENDED

Pursuant to **Rule No. 53**, Rep. Robinson (Davidson) moved to recall Senate Joint Resolution No. 341 from the Transportation Committee for immediate consideration, which motion prevailed.

***Senate Joint Resolution 0341** -- Memorials, Government Officials -- Directs Departments of Transportation and Tourist Development to promulgate program to beautify and maintain welcome centers and roadsides.

On motion of Rep. Robinson (Davidson), the resolution was concurred in by the following vote:

Ayes.	86
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Coffey, Collier, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Duer, Ellis, Frensley, Gaia, Garrett, Good,

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Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Lawson, Long, Love, McAfee, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Odom, Peroulas, Phillips, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 86.

A motion to reconsider was tabled.

RULES SUSPENDED

Pursuant to **Rule No. 53**, Rep. Robinson (Davidson) moved to recall Senate Joint Resolution No. 422 from the Calendar and Rules Committee for immediate consideration, which motion prevailed.

***Senate Joint Resolution 0422** -- General Assembly, Studies -- Provides for creation of a special joint committee to study rail commuter service.

On motion of Rep. Robinson (Davidson), the resolution was concurred in by the following vote:

Ayes.....	87
Noes.....	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Coffey, Collier, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, McAfee, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 87.

Representative voting no was: Long -- 1.

A motion to reconsider was tabled.

RULES SUSPENDED

Pursuant to **Rule No. 53**, Rep. Robinson (Davidson) moved to recall Senate Joint Resolution No. 453 from the Calendar and Rules Committee for immediate consideration, which motion prevailed.

***Senate Joint Resolution 0453** -- General Assembly, Studies -- Creates special study committee to study relocation of utility facilities located in highway rights of way which are part of construction projects.

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On motion of Rep. Robinson (Davidson), the resolution was concurred in by the following vote:

Ayes.	87
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DePriest, Dixon, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 87.

A motion to reconsider was tabled.

RULES SUSPENDED

Pursuant to **Rule No. 53**, Rep. Robinson (Davidson) moved to recall Senate Bill No. 2453 from the Finance, Ways and Means Committee for immediate consideration.

Rep. Naifeh objected to the motion to recall.

Senate Bill No. 2453 -- Alcoholic Offenses -- Permits court to sentence DUI first offenders to remove litter from public streets and highways in lieu of incarceration. Amends TCA 55-10-403.

Mr. Speaker Murray relinquished the Chair to Rep. Bivens, Speaker pro tem.

Rep. Clark moved the previous question on the motion to recall, which motion prevailed.

Thereupon, Rep. Robinson (Davidson) renewed his motion to recall Senate Bill No. 2453, which motion failed by the following vote:

Ayes.	16
Noes.	66
Present and not voting.	1

Representatives voting aye were: Buck, Coffey, Crain, Curlee, Davis (Cocke), Duer, Frensley, Harrill, Hurley, King, Napier, Odom, Purcell, Starnes, Tanner, West -- 16.

Representatives voting no were: Bell, Bewley, Bivens, Bragg, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Collier, Copeland, Cross, Davidson, Davis (Gibson), DeBerry, DePriest, Dixon, Gaia, Good, Hassell, Hawkins, Henry, Hillis, Hobbs, Holcomb, Holt, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, Lawson, Long, McAfee, Miller, Montgomery, Moore (Lawrence),

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Moore (Shelby), Naifeh, Nance, Peroulas, Phillips, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Tankersley, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, Whitson, Williams, Wix, Wolfe, Wood, Yelton -- 66.

Representative present and not voting was: Herron -- 1.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 1809.

The Senate lifted the tabling motion; reconsidered passage of the bill; reconsidered adoption of Amendment No. 4; withdrew Amendment No. 4; then repassed the bill on third and final consideration, as amended.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 2131.

The Senate lifted the tabling motion; reconsidered passage of the bill; reconsidered adoption of Amendment No. 4; withdrew Amendment No. 4; then repassed the bill on third and final consideration, as amended.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No. 2379, passed by the Senate.

Senate Bill No. 2379 -- Campaigns -- Revises financial disclosure reporting requirements; grants enforcement authority to secretary of state. Amends TCA, Title 2; Title 3, Ch. 6; Title 8, Ch. 50, Pt. 5.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 2170 -- Taxes, Real Property -- Clarifies local governments be adequately compensated for value of services rendered to low cost housing through in lieu of tax payments. Amends TCA 67-5-207.

Senate Amendment No. 1

Amend House Bill No. 2170 by deleting the period at the end of the amendatory language in Section 1 and by adding the following:

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and in no event shall such payments be required from public housing authorities operating under Title 13, Chapter 20.

Rep. Ussery moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes.....	92
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifah, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 92.

A motion to reconsider was tabled.

House Bill No. 1426 -- Sunset Laws -- Extends termination date of Department of Correction. Amends TCA, Titles 3, 4, 7--10, 16, 33, 37--41, 49, 67.

Senate Amendment No. 3

Amend House Bill No. 1426 by adding the following new section immediately preceding the effective date section and by renumbering the effective date section accordingly:

Section ____ Tennessee Code Annotated, Section 41-22-119 is amended by inserting between the words "produced" and the words "or manufactured" in subsection (a) the words "repackaged, assembled, warehoused".

Rep. King moved that the House concur in Senate Amendment No. 3, which motion prevailed by the following vote:

Ayes.....	92
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Duer, Ellis, Frenley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifah, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby),

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Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 92.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 1367.

The Senate is returning the bill as no action was taken.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

HOUSE ACTION ON SENATE AMENDMENT

***House Bill No. 1367** -- General Assembly -- Provides a salary schedule for the majority and minority leaders and the speakers. Amends TCA, Title 3, Ch. 1.

Senate Amendment No. 3

Amend House Bill No. 1367 by deleting all pay raises except for the Speakers of each house.

Rep. Burnett moved that the House concur in Senate Amendment No. 3, which motion prevailed by the following vote:

Ayes.	92
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robison (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton -- 92.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

MOTION TO RECONSIDER

House Bill No. 1809 -- Licenses -- Revises registration, training, and application fee requirements under Private Protective Security Services Act. Amends TCA, Title 62, Ch. 35.

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Rep. Kisber moved to lift from the table the motion to reconsider on House Bill No. 1809, which motion prevailed.

Rep. Kisber moved to reconsider our action in passing House Bill No. 1809, which motion prevailed.

Rep. Kisber moved to reconsider our action in concurring in Senate Amendment No. 5, which motion prevailed.

Rep. Kisber moved to nonconcur in Senate Amendment No. 5, which motion prevailed.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 1929.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Bill No. 1929 -- Drugs -- Provides for drug testing of students. Amends TCA, Title 49, Ch. 6.

**CONFERENCE COMMITTEE REPORT
ON SENATE BILL NO. 1929**

The House and Senate Conference Committees appointed pursuant to motions to resolve differences between the two houses on Senate Bill No. 1929/House Bill No. 1663 have met and recommended that:

House Amendments 1, 2, 3, 5, 6, 8, 10, 11, 12, 13, and 15 be concurred in by both houses;

Senate Amendments 1, 2, 3, 4, 5, 6, and 8 be concurred in by both houses; and

House Amendment 4 be reworded, as follows:

by deleting from subsection (b) in Section 1, as amended, the words "follow the procedures established by the local board of education" and substituting instead the following:

be performed by an accredited laboratory.

and adopted by both houses.

Respectfully submitted this the 29th day of April, 1988.

FOR THE SENATE:

FOR THE HOUSE:

Tommy Burks
Carl Moore
Randy McNally

Doug Jackson
Ray Davis
Jack A. Long

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Rep. Davis (Gibson) moved to accept the Conference Committee Report on Senate Bill No. 1929 and make it the action of the House.

Rep. Clark moved to reject the Conference Committee report.

Rep. Davis (Gibson) moved to table Rep. Clark's motion to reject, which tabling motion prevailed by the following vote:

Ayes.	50
Noes.	34
Present and not voting.	1

Representatives voting aye were: Buck, Byrd, Chiles, Coffey, Collier, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Duer, Frensley, Good, Hassell, Head, Henry, Hobbs, Holt, Hurley, Huskey, Jackson, Jones, R. (Shelby), Kent, King, Kisber, Lawson, McAfee, Miller, Moore (Lawrence), Naifeh, Nance, Napier, Peroulas, Phillips, Robinson (Hamilton), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner, C. (Shelby), Ussery, Webb, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 50.

Representatives voting no were: Bewley, Bivens, Bragg, Burnett, Bushing, Cain, Clark, Cross, DeBerry, DePriest, Dixon, Gaia, Garrett, Hawkins, Herron, Hillis, Holcomb, Jared, Jones, U. (Shelby), Kernell, Love, Montgomery, Odom, Pruitt, Purcell, Rhinehart, Robinson (Washington), Turner (Hamilton), Turner, L. (Shelby), West, Wheeler, Whitson, Williams, Wix -- 34.

Representative present and not voting was: Long -- 1.

Rep. Stafford moved the previous question, which motion prevailed by the following vote:

Ayes.	66
Noes.	15

Representatives voting aye were: Bewley, Bivens, Buck, Byrd, Cain, Chiles, Coffey, Collier, Crain, Cross, Curlee, Davis (Cocke), Davis (Gibson), DePriest, Dixon, Duer, Frensley, Garrett, Good, Hassell, Hawkins, Head, Hobbs, Holcomb, Holt, Hurley, Huskey, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, McAfee, Miller, Moore (Lawrence), Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Whitson, Wix, Wolfe, Wood, Yelton -- 66.

Representatives voting no were: Bragg, Burnett, Bushing, Clark, Davidson, Gaia, Harrill, Herron, Love, Montgomery, Odom, Purcell, Rhinehart, Turner, L. (Shelby), Williams -- 15.

Thereupon, Rep. Davis (Gibson) moved that the Report of the Conference Committee on Senate Bill No. 1929 be adopted and made the action of the House, which motion prevailed by the following vote:

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Ayes.	61
Noes.	21
Present and not voting.	2

Representatives voting aye were: Bivens, Buck, Byrd, Chiles, Coffey, Collier, Crain, Cross, Curlee, Davis (Cocke), Davis (Gibson), Duer, Frensley, Good, Harrill, Hassell, Hawkins, Head, Henry, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, King, Kisber, Lawson, McAfee, Miller, Montgomery, Moore (Lawrence), Naifeh, Nance, Napier, Peroulas, Phillips, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner, C. (Shelby), Ussery, Webb, West, Whitson, Wix, Wolfe, Wood, Yelton -- 61.

Representatives voting no were: Bewley, Bragg, Burnett, Bushing, Clark, Davidson, DeBerry, Dixon, Gaia, Garrett, Herron, Jared, Jones, U. (Shelby), Love, Odom, Pruitt, Purcell, Rhinehart, Turner, L. (Shelby), Wheeler, Williams -- 21.

Representatives present and not voting were: Cain, Long -- 2.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return Senate Bill No. 1130, as requested.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MOTION TO RECONSIDER

Senate Bill No. 1130 -- Partnerships -- Revises certain provisions concerning limited partnerships. Amends TCA, Title 61, Ch. 2.

Rep. Dixon moved to lift from the table the motion to reconsider on Senate Bill No. 1130.

Rep. Dixon moved to reconsider our action in passing Senate Bill No. 1130.

Rep. Dixon moved to amend as follows:

Amendment No. 2

Amend Senate Bill No. 1130 by adding the letter "(b)" before the word "Each" at the beginning of Section 61-2-304 and renumbering the subsections thereof as "(1) through (6)" in lieu of "(a) through (f)."

AND FURTHER AMEND by adding the following new subsection before subsection "(b)":

(a) Any person shall have the right to examine the current list of the names and addresses of all general and limited partners of any partnership formed under this act at the registered office of the partnership during reasonable business hours, and, upon payment of reasonable costs of duplication, to make a copy thereof.

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On motion, Amendment No. 2 was adopted.

Rep. Dixon moved to repass Senate Bill No. 1130, as amended, on third and final consideration, which motion prevailed by the following vote:

Ayes.....	80
Noes.....	0

Representatives voting aye were: Bewley, Bivens, Bragg, Buck, Bushing, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Duer, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, Lawson, Love, McAfee, Miller, Montgomery, Moore (Lawrence), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton -- 80.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Naifeh moved that the rules be suspended for the purpose of introducing Senate Joint Resolution No. 534 out of order for immediate consideration, which motion prevailed.

Senate Joint Resolution 0534 -- Naming and Designating -- Names National Guard Armory in Millington in honor of Colonel Paul R. Summers. by *Wilder.

Rep. Naifeh moved that the House concur in Senate Joint Resolution No. 534, which motion prevailed.

A motion to reconsider was tabled.

REGULAR CALENDAR, CONTINUED

***House Bill No. 2193 -- Campaigns --** Revises financial disclosure reporting requirements; grants enforcement authority to secretary of state. Amends TCA, Title 2; Title 3, Ch. 6; Title 8, Ch. 50, Pt. 5.

On motion, House Bill No. 2193 was made to conform with Senate Bill No. 2379.

On motion, **Senate Bill No. 2379**, on same subject, was substituted for House Bill No. 2193.

Rep. Kisber moved that Senate Bill No. 2379 be passed on third and final consideration.

Rep. Kernell moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 2379 by adding to the amendatory language of Section 5(b) at the end of the first sentence after the word "code" the words

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"or any other political purpose or for tax deductible expenditures in the furtherance of public service duties."

On motion, Amendment No. 1 was adopted.

Rep. Kisber moved to amend as follows:

Amendment No. 2

Amend Senate Bill No. 2379 by adding in subdivision (a)(3) of the amendatory language of Section 9, as amended, before the words "state executive committee" the following:

county executive committee or

On motion, Amendment No. 2 was adopted.

Rep. Kisber moved to amend as follows:

Amendment No. 3

Amend Senate Bill No. 2379 by adding at the end of Section 9(b) as amended the following:

Provided, further, there shall be no violation if a candidate retains supplies or equipment from a campaign with an aggregate value of not more than one thousand dollars (\$1,000). It is the legislative intent that the one thousand dollar (\$1,000) limitation of the preceding sentence shall be cumulative with respect to any primary and general election campaigns for the same office conducted in the same year.

AND FURTHER AMEND by adding after Section 13 the following new sections:

SECTION __. Tennessee Code Annotated, Section 2-19-132, is amended by adding the following new subsections:

(b) The prohibition of subsection (a) shall not apply to contributions made by national political party committees which have incorporated for liability purposes when such committee contributes to a state political party committee.

SECTION __. Tennessee Code Annotated, Section 2-19-132, is amended by deleting the following language:

or for the purpose of aiding in the success or defeat of any proposition submitted to a vote of the people,

On motion, Amendment No. 3 was adopted.

Rep. Kisber moved to amend as follows:

Amendment No. 4

Amend Senate Bill No. 2379 by adding before the severability clause the following new sections:

Section __. Tennessee Code Annotated, Section 8-50-502(1), is amended by deleting the subsection in its entirety and by substituting instead the following:

(1) The major source or sources of private income of more than one thousand dollars (\$1,000), including but not limited to offices, directorships, and salaried employments of the person making disclosure, the spouse, or minor children residing with such person, but no dollar amounts need be stated. This item shall not be construed to require the disclosure of any client list or customer list.

Section __. Tennessee Code Annotated, Section 8-50-502(3), is amended by deleting the subsection in its entirety.

On motion, Amendment No. 4 was adopted.

Rep. Kisber moved to amend as follows:

Amendment No. 5

Amend Senate Bill No. 2379 by deleting from the effective date section the date "January 1, 1989" and by substituting instead the date "July 1, 1989".

On motion, Amendment No. 5 was adopted.

Rep. Rhinehart moved to amend as follows:

Amendment No. 6

Amend Senate Bill No. 2379 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section __. Any funds remaining in a campaign fund following an election shall only be expended in accordance with federal law.

Amendment No. 6 failed to be adopted by the following vote:

Ayes.....	32
Noes.....	45
Present and not voting.....	1

Representatives voting aye were: Bewley, Bragg, Cain, Collier, Cross, Curlee, Davidson, DeBerry, Dixon, Gaia, Good, Harrill, Head, Hillis, Holt, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, King, Lawson, Miller, Phillips, Pruitt,

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Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Severance, Tanner, Turner, L. (Shelby), Wolfe -- 32.

Representatives voting no were: Bivens, Buck, Burnett, Bushing, Byrd, Chiles, Clark, Coffey, Copeland, Davis (Cocke), Frensley, Hassell, Hawkins, Henry, Herron, Holcomb, Hurley, Ivy, Kent, Kisber, Long, Love, Montgomery, Moore (Lawrence), Naifeh, Nance, Napier, Odom, Peroulas, Purcell, Robinson (Davidson), Scruggs, Stafford, Stallings, Swann, Tankersley, Turner (Hamilton), Turner, C. (Shelby), Webb, West, Whitson, Williams, Wix, Wood, Yelton -- 45.

Representative present and not voting was: Hobbs -- 1.

Rep. Stafford moved the previous question, which motion prevailed by the following vote:

Ayes.	63
Noes.	21
Present and not voting.	4

Representatives voting aye were: Bewley, Bivens, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DePriest, Frensley, Garrett, Good, Harrill, Hassell, Hawkins, Head, Herron, Hillis, Holcomb, Holt, Huskey, Ivy, Jared, Kent, Kisber, Long, Love, McAfee, Miller, Moore (Lawrence), Naifeh, Napier, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stafford, Stallings, Swann, Tankersley, Tanner, Turner, C. (Shelby), Webb, West, Wheeler, Whitson, Williams, Wix, Yelton -- 63.

Representatives voting no were: DeBerry, Dixon, Duer, Gaia, Henry, Hurley, Jones, R. (Shelby), Jones, U. (Shelby), King, Lawson, Montgomery, Nance, Odom, Peroulas, Phillips, Shirley, Turner (Hamilton), Turner, L. (Shelby), Ussery, Wolfe, Wood -- 21.

Representatives present and not voting were: Copeland, Ellis, Hobbs, Kernell -- 4.

Thereupon, Rep. Scruggs moved that Senate Bill No. 2379, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	66
Noes.	20
Present and not voting.	3

Representatives voting aye were: Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), DeBerry, Frensley, Garrett, Good, Harrill, Hassell, Herron, Hillis, Holcomb, Hurley, Huskey, Ivy, Jackson, Jared, Kent, Kernell, King, Kisber, Long, Love, Miller, Montgomery, Moore (Lawrence), Naifeh, Nance, Odom, Peroulas, Purcell, Ridgeway, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Stallings, Swann, Tankersley, Tanner, Turner, C. (Shelby), Webb, West, Wheeler, Whitson, Williams, Wix, Wood, Yelton, Mr. Speaker Murray -- 66.

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Representatives voting no were: DePriest, Dixon, Duer, Gaia, Hawkins, Head, Henry, Jones, R. (Shelby), Jones, U. (Shelby), Lawson, McAfee, Phillips, Pruitt, Rhinehart, Robinson (Hamilton), Stafford, Turner (Hamilton), Turner, L. (Shelby), Ussery, Wolfe -- 20.

Representatives present and not voting were: Davis (Gibson), Hobbs, Holt -- 3.

A motion to reconsider was tabled.

House Bill No. 2323 -- Ethics -- Enacts Governmental Ethics Commission Act of 1988. Amends TCA, Title 2, Ch. 10; Title 3, Ch. 6; Title 8, Ch. 50, Pt. 5.

On motion of Rep. Swann, House Bill No. 2323 was withdrawn from the House.

***House Bill No. 2350 -- Campaigns -- Revises financial disclosure requirements; grants enforcement to secretary of state. Amends TCA, Title 2, Ch. 10; Title 3, Ch. 6; Title 8, Ch. 50, Pt. 5.**

Rep. Miller moved that House Bill No. 2350 be re-referred to the Calendar and Rules Committee, which motion prevailed.

House Bill No. 2111 -- Municipal Government -- Requires board of directors of not-for-profit corporation acting for governmental entity pursuant to TCA Title 7, Chapter 54, Part 1, to include elected and appointed members. Amends TCA, Title 7, Ch. 54, Pt. 1.

Rep. Miller moved that House Bill No. 2111 be re-referred to the Calendar and Rules Committee, which motion prevailed.

MOTION

Rep. Naifeh moved to allow all bills lying on the desk with Senate Messages to be called up at this time, which motion prevailed.

Mr. Speaker Murray resumed the Chair.

UNFINISHED BUSINESS

***House Bill No. 0101 -- Administrative Procedure Rules and Regulations -- Enacts "Government Regulation Reform Act of 1987". Amends TCA Titles 1 - 70. Amends TCA, Titles 1, 70.**

Rep. Copeland moved that House Bill No. 101 be re-referred to the Calendar and Rules Committee, which motion prevailed.

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MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 202.

The Senate lifted the tabling motion; reconsidered passage of the bill; adopted Amendment No. 11, as amended; then repassed the bill on third and final consideration, as amended.

CLYDE McCULLOUGH, JR.,
Chief Clerk.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 0202 -- Alcoholic Offenses -- Creates offense of boating under the influence of an intoxicant; defines offense and sets penalties. Amends TCA, Title 69, Ch. 10, Pt. 2.

Senate Amendment No. 11

Amend House Bill No. 202 by deleting Sections 1, 2, 3, and 4 in their entirety and substituting instead the following:

Section 1. Tennessee Code Annotated, Section 69-10-216, is amended by deleting subsection (b) in its entirety and substituting in lieu thereof the following:

(b) (1) It shall be unlawful for any person or persons to operate or to be in physical control of any vessel or to manipulate any water skis, surfboards or similar device on the public waters of the state of Tennessee while under the influence of an intoxicant, marijuana, narcotic drug, or drug producing stimulating effects on the central nervous system.

(2) For the purpose of this subsection "drugs producing stimulating effects on the central nervous system" shall include the salts of barbituric acid, also known as malonyl urea, or any compound, derivatives, or mixtures thereof that may be used for producing hypnotic or somnifacient effects, and includes amphetamine, desoxyephedrine or compounds or mixtures thereof, including all derivatives of phenylethylamine or any of the salts thereof, except preparations intended for use in the nose and unfit for internal use.

(3) The fact that any person or persons who operate or are in physical control of any vessel or who manipulates any water skis, surfboards, or similar device on public waters of the state of Tennessee while under the influence of narcotic drugs, or shall so operate or control while under the influence of barbituric drugs is or has been entitled to use such drugs under the laws of this state shall not constitute a defense to a violation of this subsection.

(4) No justice of the peace shall have jurisdiction to punish any person violating the provisions of this subsection.

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(5) As used in subsections (b)(6) -- (b)(13) of this section, unless the context requires otherwise:

(A) "Law enforcement officer" means any duly elected or appointed officer of the state of Tennessee or any county or municipal subdivision thereof charged with conservation of the peace.

(B) "Test" means any chemical test designed to determine the alcoholic or drug content of the blood. The specimen to be used for such test shall include blood, urine, or breath.

(6) Any person or persons who operate or are in physical control of any vessel or who manipulates any water skis, surfboards or similar device on the public waters of the state of Tennessee shall be determined to have given his or her consent to a test for the purpose of determining the alcoholic or drug content of his or her blood; provided that such test is administered at the direction of a law enforcement officer who has reasonable grounds to believe such person or persons is operating or is in physical control of any vessel or is manipulating any water skis, surfboard or similar device, while under the influence of an intoxicant or drug.

Any physician, registered nurse, licensed practical nurse, clinical laboratory technologist, or clinical laboratory technician or, in counties with a population of not less than seventy-four thousand five hundred (74,500) nor more than seventy-four thousand six hundred (74,600) according to the 1980 federal census of population or any subsequent federal census, a qualified phlebotomist who acting at the written request of a law enforcement officer withdraws blood from a person for the purpose of making such test shall not incur any civil or criminal liability as a result of the withdrawing of such blood, except for any damages that may result from the negligence of the person so withdrawing. Neither shall the hospital or other employer of any such physician, registered nurse, licensed practical nurse, or clinical laboratory technician or, in counties with a population of not less than seventy-four thousand five hundred (74,500) nor more than seventy-four thousand six hundred (74,600) according to the 1980 federal census of population or any subsequent federal census, a qualified phlebotomist, incur, except for negligence, any civil or criminal liability as a result of the act of withdrawing blood from any person submitting thereto.

(7) If such person, having been placed under arrest and thereafter having been requested by a law enforcement officer to submit to such test, refuses to submit, the test shall not be given; however, the refusal to submit to the test shall be admissible as evidence on the issue of guilt.

(8) Any person who is unconscious at the time of arrest or apprehension or otherwise in a condition rendering him or her incapable of refusal shall be subjected to the test, but the results thereof shall not be used as evidence against him or her in any court without the consent of the person so tested.

(9) It shall be the duty of any enforcement agency investigating boating accidents in which fatalities or serious injuries occur to obtain blood alcohol content from all operators involved and submit the results thereof to the district attorney.

(10) Upon the trial of any person charged with a violation of this subsection, the results of any test made of the person so charged shall be admissible in evidence in a criminal proceeding. Failure of a law enforcement officer to request the administering of a test shall likewise be admissible in evidence in a criminal proceeding.

(11) For the purpose of this subsection, evidence that there was, at the time alleged, five-hundredths of one percent (.05%), or less, by weight of alcohol in the blood of the defendant, shall create no presumption.

Evidence that there was, at the time alleged, ten-hundredths of one percent (.10%), or more, by weight of alcohol in the defendant's blood, shall create a presumption that the defendant was under the influence of such intoxicant, and that his or her ability to operate, control or manipulate was impaired thereby, sufficiently to constitute a violation of subsection (b)(1).

(12) The results of any test authorized by subsection (b)(6) -- (b)(13) of this section shall be reported in writing by the person making such test and such report shall have noted on it the time at which the sample analyzed was obtained from the person. Upon request of the person tested, the results of such test shall be made available to him.

(13)

(A) To be considered valid, the procurement of a sample of a person's blood for the purpose of testing it as provided by subsection (b)(1) -- (b)(13) of this section shall be performed by a registered nurse, licensed practical nurse, clinical laboratory technologist, or clinical laboratory technician or, in counties with a population of not less than seventy-four thousand five hundred (74,500) nor more than seventy-four thousand six hundred (74,600) according to the 1980 federal census of population or any subsequent federal census, a qualified phlebotomist or at the direction of a medical examiner or other physician holding an unlimited license to practice medicine in Tennessee under procedures established by the department of health and environment.

(B) Upon receipt of a specimen forwarded to his office for analysis, the director of the Tennessee bureau of investigation shall have it examined for alcohol concentration or for the presence of narcotic or other drugs, if requested by the arresting officer, county medical examiner, or any district attorney general. The chief medical examiner or his duly appointed representative shall execute a certificate which indicates the name of the accused, the date, time and by whom the specimen was received and examined, and a statement of the alcohol concentration or presence of drugs of the specimen.

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(C) When a specimen taken in accordance with the provisions of this subsection is forwarded for testing to the office of the director of the bureau of investigation, a report of the results of such test shall be made and filed in that office, and a copy mailed to the district attorney general for the district where the case arose.

(D) The certificate provided for in this subpart shall, when duly attested by the director of the bureau of investigation or his duly appointed representative, be admissible in any court, as evidence of the facts therein stated, and of the results of such test if the person taking or causing to be taken the specimen and the person performing the test of such specimen shall be available, if subpoenaed as witnesses, upon demand by either party to the cause, or, when unable to appear as witnesses, shall submit a deposition upon demand by either party to the cause.

(E) The person tested shall be entitled to have an additional sample of blood or urine procured and the resulting test performed by any medical laboratory of his own choosing and at his own expense, provided, however, that the medical laboratory is licensed pursuant to Tennessee Code Annotated, Title 68, Chapter 29.

(14) It shall be unlawful for any person or persons to operate or to be in physical control of any vessel or to manipulate any water skis, surfboards or similar devices on the public waters of the state of Tennessee while such person's privilege to do so is suspended.

SECTION 2. Tennessee Code Annotated, Section 69-10-217 (b) is amended by striking the dash "-" between "(a)" and "(c)" and substituting in lieu thereof the word "and".

SECTION 3. Tennessee Code Annotated, Section 69-10-217, is further amended by adding new subsections (c) and (d) as follows:

(c) Any person violating the provisions of Tennessee Code Annotated, Section 69-10-216 (b)(1) shall, upon conviction thereof for the first offense, be fined not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) or shall have his or her privilege to operate or to be in physical control of any vessel or to manipulate any water skis, surfboards or similar device on the public waters of the state of Tennessee suspended for thirty (30) days, or both.

For conviction of a second or subsequent offense such person shall be fined not less than five hundred dollars (\$500.00) nor more than one thousand dollars (\$1,000.00) and, in the discretion of the court, shall be confined in the county jail or workhouse for no more than thirty (30) days. Provided, further, that in the discretion of the court, and in lieu of or in addition to a fine or a jail sentence, or both, the person's privilege to operate or to be in physical control of any vessel or to manipulate any water skis, surfboards or similar device on the public waters of the state of Tennessee shall be suspended for one (1) year.

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In the prosecution of second or subsequent offenders the indictment or charging instrument must allege the prior conviction, or convictions, for violating the provisions of Tennessee Code Annotated, Section 69-10-216 (b)(1) setting forth the time and place of each prior conviction, or convictions.

(d) Any person violating the provisions of Tennessee Code Annotated, Section 69-10-216(b)(14) shall, upon conviction thereof, be fined not less than five hundred dollars (\$500.00) nor more than one thousand dollars (\$1,000.00) or shall be confined in the county jail or workhouse for no more than thirty (30) days.

SECTION 4. This Act shall take effect September 1, 1988, the public welfare requiring it.

Amendment No. 1 to Senate Amendment No. 11

Amend Senate Amendment No. 11 to House Bill No. 202 by adding the following language to the end of the amendatory language of the first paragraph in Section 3(c):

It shall be within the discretion of the court to determine when the period of suspension will be served.

Amendment No. 3 to Senate Amendment No. 11

Amend Senate Amendment No. 11 to House Bill No. 202 in line 7 by deleting the words "vessel or to" and substituting instead the words "motorized vessel or sailboat or to"

AND FURTHER AMEND by deleting from lines 7 and 8 the words "or to manipulate any water skis, surfboards or similar device"

Rep. Hassell moved that the House concur in Senate Amendment No. 11, as amended, which motion prevailed by the following vote:

Ayes.	88
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moore (Lawrence), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton -- 88.

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RULES SUSPENDED

Rep. Davis (Gibson) moved that the rules be suspended for the purpose of introducing Senate Joint Resolution 342 out of order, which motion prevailed.

***Senate Joint Resolution 0342 -- General Assembly, Studies --** Continues special joint committee to study agricultural economy.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Davis (Gibson), the resolution was concurred in by the following vote:

Ayes.	89
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Duer, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moore (Lawrence), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 89.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. King moved that the rules be suspended for the purpose of introducing Senate Joint Resolution No. 444 out of order, which motion prevailed.

***Senate Joint Resolution 0444 -- Memorials, Government Officials --** Encourages general sessions courts to enforce litter laws to fullest measure. by *Burks, Greer.

On motion, the rules were suspended for the immediate consideration of the resolution.

Rep. King moved that the House concur in Senate Joint Resolution No. 444.

Rep. King withdrew the motion to concur in Senate Joint Resolution No. 444.

BILLS WITHDRAWN

On motion of Rep. Jared, House Joint Resolution No. 770 was recalled from the Committee on State and Local Government.

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On motion of Rep. Jared, **House Joint Resolution No. 770** was withdrawn from the House.

On motion of Rep. Miller, **House Joint Resolution No. 809** was recalled from the Committee on State and Local Government.

On motion of Rep. Miller, **House Joint Resolution No. 809** was withdrawn from the House.

RULES SUSPENDED

Rep. Miller moved that the rules be suspended for the purpose of introducing Senate Joint Resolution No. 539 out of order, which motion prevailed.

Senate Joint Resolution 0539 -- Memorials, Government Officials -- Requests Postmaster General and Citizens Stamp Advisory Committee to issue stamp in honor of Elvis Presley. by *Davis E.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Miller, the resolution was concurred in by the following vote:

Ayes.	87
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, McAfee, Miller, Montgomery, Moore (Lawrence), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 87.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

MOTION TO RECONSIDER

House Bill No. 1809 -- Licenses -- Revises registration, training, and application fee requirements under Private Protective Security Services Act. Amends TCA, Title 62, Ch. 35.

Rep. Kisber moved to reconsider our action in nonconcurring in Senate Amendment No. 5, which motion prevailed

Rep. Kisber moved that the House concur in Senate Amendment No. 5, which motion prevailed by the following vote:

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Ayes.	83
Noes.	3
Present and not voting.	2

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Duer, Ellis, Frenslley, Gaia, Garrett, Good, Harrill, Hassell, Head, Henry, Hillis, Hobbs, Holcomb, Holt, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, McAfee, Miller, Montgomery, Moore (Lawrence), Naifeh, Napier, Odom, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 83.

Representatives voting no were: Long, Shirley, Wix -- 3.

Representatives present and not voting were: Clark, Purcell -- 2.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 1862.

The Senate lifted the tabling motion; reconsidered passage of the bill; reconsidered adoption of Amendments Nos. 1 and 4; withdrew Amendments Nos. 1 and 4; adopted Amendments Nos. 6, 7 and 8, then repassed the bill on third and final consideration, as amended.

CLYDE McCULLOUGH, JR.,
Chief Clerk.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 1862 -- Municipal Government -- Places certain requirements on boards of directors of not-for-profit corporations acting on behalf of local governments under the provisions of TCA Title 7, Chapters 4, 58. Amends TCA, Title 7, Ch. 54; Title 8, Ch. 44; Title 12, Ch. 4; Title 68, Ch. 31.

Senate Amendment No. 6

Amend House Bill No. 1862 by adding the following language as a new section immediately preceding the effective date section, and by renumbering the effective date section accordingly:

SECTION ____ Tennessee Code Annotated, Section 7-54-103(i), is amended by changing the period at the end of the last sentence to a semi-colon and by inserting the following language:

provided, that, the site selection for an energy production facility may be delegated to any such not-for-profit corporation but shall be subject to the approval by a two-thirds (2/3) vote of the legislative bodies of the city and the county in which such city is located for whom or on whose

behalf such not-for-profit corporation is acting prior to the purchase of any such site.

Senate Amendment No. 7

Amend House Bill No. 1862 by deleting the amendatory language of Section 1 in its entirety, and by substituting instead the following language:

Provided, however, if such bonds or refunding bonds are issued by a not-for-profit corporation acting for the benefit of or on behalf of any one (1) or more counties, cities, towns, or local governments under the provisions of this chapter, such bonds shall be sold at competitive bid or at a negotiated sale pursuant to the provisions of this section. Prior to the adoption of any resolution of the board of the not-for-profit corporation authorizing the sale of bonds, notes, or other obligations or entering into any contract or other arrangement in the planning or preparation for the sale of bonds, notes, or other obligations, any such resolution or any such proposed contracts or other arrangements shall be subject to the approval of the state director of local finance and shall be subject to review by the state funding board. Any resolution of the not-for-profit corporation authorizing the sale of bonds, notes, or other obligations shall only become effective upon receiving the approval of the state director of local finance and the legislative bodies of the city and the county in which such city is located for whom or on whose behalf such not-for-profit corporation is acting.

Senate Amendment No. 8

Amend House Bill No. 1862 by adding the following language as a new section immediately preceding the effective date section, and by renumbering the effective date section accordingly:

SECTION __. Tennessee Code Annotated, Section 7-54-103, is amended by adding the following language as a new subsection to be appropriately designated:

(1) Provided that, if such functions are delegated by the municipality to any not-for-profit corporation acting for or on behalf of such municipality such corporation shall develop a uniform accounting system conforming to generally accepted accounting principles for which system shall be subject to approval by the comptroller of the treasury.

(2) The annual report, including financial statements, and all books of account and financial records of such not-for-profit corporation shall be subject to audit by the comptroller of the treasury. The board of such corporation may, with the prior approval of the comptroller, engage licensed independent public accountants to perform the audits. The audit contract between the corporation and the independent public accountant shall be on contract forms prescribed by the comptroller of the treasury. The corporation shall be responsible for reimbursement of the costs of audits prepared by the comptroller and the payment of fees for audits prepared by licensed independent public accountants. Audits and working papers prepared by independent public accountants shall be subject to review and approval by the comptroller prior to payment. Copies of such

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audits shall be provided to each member of the board, the legislative bodies of the city and the county in which such city is located for whom or on whose behalf such not-for-profit corporation is acting, and the comptroller of the treasury and shall be made available to the press.

(3) The board of directors of the not-for-profit corporation shall develop purchasing, contracting, and personnel procedures which shall be subject to approval by the comptroller of the treasury and the commissioner of finance and administration prior to implementation.

Rep. Miller moved that the House concur in Senate Amendments Nos. 6, 7 and 8, which motion prevailed by the following vote:

Ayes.....	89
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Duer, Ellis, Frensey, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moore (Lawrence), Naifeh, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 89.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 2053.

The Senate lifted the tabling motion; reconsidered passage of the bill; reconsidered adoption of Amendment No. 1; withdrew Amendment No. 1; adopted Amendment No. 2, then repassed the bill on third and final consideration, as amended.

CLYDE McCULLOUGH, JR.,
Chief Clerk.

HOUSE ACTION ON SENATE AMENDMENT

*House Bill No. 2053 -- Taxes, Real Property -- Permits certain residents to pay property taxes in certain number of installments.

Senate Amendment No. 2

Amend House Bill No. 2053 by striking the language in House Amendments Nos. 1 and No. 2 in its entirety.

Rep. Hassell moved that the House concur in Senate Amendment No. 2, which motion prevailed by the following vote:

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Ayes.	92
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Duer, Ellis, Frensey, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moore (Lawrence), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 92.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 2127, substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

HOUSE ACTION ON SENATE AMENDMENTS

*House Bill No. 2127 -- Employees, Employers -- Requires certain employees to contact Department of Labor under certain circumstances involving mass layoffs and plant closings. Amends TCA, Title 50, Ch. 1.

Senate Amendment No. 2

Amend House Bill No. 2127 by deleting the word "Tennessee" in the original Section 2(a) and by substituting instead the following:

Tennessee and which is not excluded or exempt from the requirement of the Tennessee Employment Security Law.

Senate Amendment No. 4

Amend House Bill No. 2127 by deleting from Section 3(a) the last sentence thereof.

AND FURTHER AMEND by deleting from Section 3(c) the last sentence thereof.

Senate Amendment No. 5

Amend House Bill No. 2127 by deleting the words "Tennessee department of labor" wherever they appear and by substituting instead the words "executive director of the economic cabinet council".

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AND FURTHER AMEND by deleting the words "the department" in subsection (a) of the original Section 3 wherever they appear and by substituting the words "the executive director of the economic cabinet council".

AND FURTHER AMEND by deleting the words "department shall" in subsection (b) of the original Section 3 and by substituting instead the words "the executive director of the economic cabinet council shall".

AND FURTHER AMEND by deleting the last sentence of subsection (a) of the original Section 3 in its entirety.

Rep. Wood moved that the House concur in Senate Amendments Nos. 2, 4 and 5, which motion prevailed by the following vote:

Ayes.....	90
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Duer, Ellis, Frensey, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moore (Lawrence), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 90.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 2352.

The Senate lifted the tabling motion; reconsidered passage of the bill; reconsidered adoption of Amendment No. 1; adopted Amendment No. 1, as amended, then repassed the bill on third and final consideration, as amended.

CLYDE McCULLOUGH, JR.,
Chief Clerk.

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 2352 -- Trade Regulation -- Enacts "Tennessee International Trade and Export Development Act of 1988". Amends TCA, Title 13, Ch. 27.**

Senate Amendment No. 1

Amend House Bill No. 2352 by deleting Section 3, as amended, and by substituting instead the following:

SECTION 3. There is hereby created the international trade and export development advisory council. The advisory council shall consist of nine (9) members, as follows:

- 1) One (1) state senator appointed by the speaker of the senate;
- 2) One (1) state representative appointed by the speaker of the house of representatives;
- 3) The remaining seven (7) members shall be appointed by the governor from the private sector and shall include at least one (1) person from each of the following backgrounds:
 - A) Private enterprise export trading operation;
 - B) International banking and finance;
 - C) Freight forwarding and shipping business; and
 - D) International law.

In addition, the commissioners of agriculture and economic and community development or their designees shall serve as ex officio non voting members of the advisory council.

Amendment No. 1 to Senate Amendment No. 1

Amend Senate Amendment No. 1 to House Bill No. 2352 by deleting the second amendatory clause as added by Senate Government Operations Committee Amendment No. 1.

Rep. Cross moved that the House concur in Senate Amendment No. 1, as amended, which motion prevailed by the following vote:

Ayes	91
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Duer, Ellis, Frensley, Gaia, Garrett,* Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moore (Lawrence), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 91.

A motion to reconsider was tabled.

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MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 2415, substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE McCULLOUGH, JR.,
Chief Clerk.

HOUSE ACTION ON SENATE AMENDMENT

*House Bill No. 2415 -- Appropriations -- Reappropriates sum certain for Memphis and Shelby County YMCA for outreach program for economically disadvantaged.

Senate Amendment No. 1

Amend House Bill No. 2415 by adding at the end of Section 1 the following:

This act shall have no effect unless reappropriation of the sum to fund this act is authorized in the general appropriations act.

Rep. U. Jones (Shelby) moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes.....	87
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Bushing, Byrd, Cain, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, U. (Shelby), Kent, Kernell, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moore (Lawrence), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 87.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 2475, substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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HOUSE ACTION ON SENATE AMENDMENT

House Bill No. 2475 -- Taxes -- Re-enacts exemption from taxation of all premiums under certain life insurance policies.

Senate Amendment No. 1

Amend House Bill No. 2475 by deleting from the first sentence of Section 2 the words and figures "January 1, 1987" and substituting instead the words and figures "January 1, 1988".

AND FURTHER AMEND in Section 2 by deleting the second paragraph in its entirety.

Rep. Bivens moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes.....	90
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moore (Lawrence), Naifeh, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 90.

A motion to reconsider was tabled.

RULES SUSPENDED

Pursuant to Rule No. 53, Rep. Robinson (Davidson) moved to recall Senate Joint Resolution No. 311 from the Commerce Committee for immediate consideration, which motion prevailed.

Senate Joint Resolution No. 311 -- Insurance, Health, Accident -- Urges the board of directors of the Comprehensive Health Insurance Pool to provide newborn coverage.

MOTION TO SUSPEND THE RULES

Rep. Kernell moved that the rules be suspended for the purpose of introducing Senate Joint Resolution 311 out of order, which motion he then withdrew.

RULES SUSPENDED

Rep. Kernell moved that the rules be suspended for the purpose of introducing Senate Joint Resolution 311 out of order, which motion prevailed.

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On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Kernell, the resolution was concurred in by the following vote:

Ayes.....	83
Noes.....	0
Present and not voting.....	2

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Bushing, Byrd, Cain, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Hillis, Hobbs, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, Miller, Montgomery, Moore (Lawrence), Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 83.

Representatives present and not voting were: Herron, Holcomb -- 2.

A motion to reconsider was tabled.

RESOLUTIONS LYING OVER

Senate Joint Resolution 0482 -- Memorials, Government Officials -- Directs Division of Parks and Recreation to assess and recommend improvements for operation of state parks.

The Speaker referred Senate Joint Resolution No. 482 to the Calendar and Rules Committee.

SENATE BILLS ON FIRST CONSIDERATION

***Senate Bill No. 0008** -- Board of Regents For State Universities -- Held on the Clerk's desk pending third consideration of the companion House Bill No 318.

***Senate Bill No. 1413** -- Welfare -- Held on the Clerk's desk pending third consideration of the Companion House Bill No. 1692

***Senate Bill No. 2221** -- Bond Issues -- Held on the Clerk's desk pending third consideration of the Companion House Bill No. 2440

Senate Bill No. 2515 -- Education, Dept. of -- Held on the Clerk's desk pending third consideration of the Companion House Bill No. 2456.

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MOTION TO RECESS

On motion of Mr. Speaker Murray, the House recessed for five minutes.

RECESS EXPIRED

The recess having expired, the House was called to order by Mr. Speaker Murray.

On motion of Rep. Naifeh, the roll call was dispensed with.

QUORUM CALL

The Quorum Call was taken with the following results:

Present 73

Representatives present were: Bewley, Bivens, Bragg, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Duer, Frensley, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hobbs, Holcomb, Holt, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), King, Kisber, Lawson, Long, Love, McAfee, Montgomery, Moore (Lawrence), Naifeh, Napier, Odom, Peroulas, Phillips, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Wheeler, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 73.

The Clerk announced that a quorum was present.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 2379.

The Senate concurred in House Amendments Nos. 1, 2, 4 and 5 and nonconcurred in House Amendment No. 3.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

HOUSE ACTION ON SENATE AMENDMENTS

Senate Bill No. 2379 -- Campaigns -- Revises financial disclosure reporting requirements; grants enforcement authority to secretary of state. Amends TCA, Title 2; Title 3, Ch. 6; Title 8, Ch. 50, Pt. 5.

Rep. Kisber moved to lift from the table the motion to reconsider Senate Bill No. 2379.

Rep. Rhinehart objected to the motion to reconsider and the motion failed by the following vote:

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Ayes.	36
Noes.	39
Present and not voting.	3

Representatives voting aye were: Bewley, Bivens, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Curlee, Davis (Cocke), DeBerry, Frensey, Hassell, Herron, Jackson, Kernell, Kisber, Love, Miller, Naifeh, Odom, Peroulas, Purcell, Robinson (Davidson), Scruggs, Stallings, Swann, Tankersley, Tanner, Turner, C. (Shelby), Webb, Williams, Wood, Yelton -- 36.

Representatives voting no were: Bragg, Collier, Crain, Cross, Davidson, DePriest, Dixon, Duer, Gaia, Good, Hawkins, Head, Henry, Hillis, Holcomb, Holt, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Long, McAfee, Montgomery, Moore (Lawrence), Napier, Phillips, Pruitt, Ridgeway, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Stafford, Turner (Hamilton), Turner, L. (Shelby), Ussery, West, Wheeler, Wix, Wolfe -- 39.

Representatives present and not voting were: Davis (Gibson), Hobbs, Rhinehart -- 3.

A motion to reconsider was tabled.

ANNOUNCEMENTS

Pursuant to TCA 9-6-202(d), the Joint Finance, Ways and Means Committees have transmitted to the Clerk's office the State Funding Board report relative to the reasonableness of the Tennessee Econometric Model's estimated rate of economic growth. This report is on file in the Clerk's office.

SELECT COMMITTEE APPOINTMENTS

The Speaker announced that he had appointed the following committee to notify the Senate that the House has completed its business for this session and is ready to adjourn, sine die: Representatives Jared, Chairman; Scruggs, Lawson, Montgomery and Rufus Jones.

The Speaker announced that he had appointed the following committee to notify the Governor that the House has completed its business for this session and is ready to adjourn, sine die: Representatives Naifeh, Chairman; Chiles, Bewley, Ivy, Tanner, DeBerry, Stafford and Ridgeway.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to request the return of Senate Bill No. 2379, for further consideration.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SENATE BILL RETURNED

The Clerk was directed to return Senate Bill No. 2379 to the Senate as requested.

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REPORTS OF SELECT COMMITTEES

Representative Jared advised the House that the Senate has been notified that the House has completed its business for this session and is ready to adjourn, sine die.

Representative Naifeh advised the House that the Governor has been notified that the House has completed its business for this session and is ready to adjourn sine die and the Governor stated that he had no further communications to transmit to the House.

SENATE REPORTED READY TO ADJOURN

Senator Richardson, Chairman and Senators Cohen and Patten notified the House that the Senate had completed its business for this session and was ready to adjourn sine die.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolution Nos. 423, 446, 458, 485, 500, 547, 568, 577, 584, 593, 594, 595, 596, 598, 616, 618, 627, 645, 785, 814, 815, 816, 817, 818, 819, 820, 821, 822, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 855, 856 and 860; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 451; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Joint Resolution 0451 -- General Assembly, Studies -- Creates special joint committee to study voter registration and other election laws.

ENROLLED BILLS

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolutions Nos. 109, 115, 133, 158, 160, 162, 164; and House Joint Resolutions Nos. 518 and 639; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

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MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 2469, 2471, 2512, 2513, 2516, 2521, 2522, 2523, 2524, 2525, 2531, 2532 and 2534; substituted for Senate Bills on same subjects and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

INTRODUCTION OF RESOLUTIONS

House Resolution No. 165 -- Memorials, Public Service -- Honors Patricia Crippins, Manager of Community Action Committee East Neighborhood Committee. by *Drew.

Filed for introduction.

SIGNED

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 518 and 639; and House Resolutions Nos. 109, 115, 133, 158, 160, 162 and 164.

ENROLLED BILLS

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully engrossed House Resolution No. 161; and find same correctly enrolled and ready for the signature of the Speaker.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Resolution No. 161.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No. 2376; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Bill No. 2376 -- Prisoners and Inmates -- Directs commissioner of correction to establish pilot project for chemically dependent inmates and parolees. Amends TCA, Titles 4, 8, 33, 40, 41.

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MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Joint Resolutions Nos. 457, 468, 514, 515, 694, 704, 705, 706, 707, 708, 709, 711, 713, 715, 718, 719, 721, 722, 723, 724, 725, 726, 727, 730, 731, 733, 734, 735, 736, 737, 738 and 739, with his approval.

DAVID H. WELLES,
Counsel to the Governor.

ENGROSSED BILLS

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill No. 2107; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ENROLLED BILLS

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolutions Nos. 423, 446, 458, 485, 500, 547, 568, 577, 584, 593, 594, 595, 596, 598, 616, 618, 627, 645, 785, 814, 815, 816, 817, 818, 819, 820, 821, 822, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 858 and 860; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 423, 446, 458, 485, 500, 547, 568, 577, 584, 593, 594, 595, 596, 598, 616, 618, 627, 645, 785, 814, 815, 816, 817, 818, 819, 820, 821, 822, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 858 and 860.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 2041, 2080, 2313 and 2324; substituted for Senate Bills on same subjects and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 551, 622, 625, 647, 661, 767, 823, 857 and 859; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No. 422; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 583, 1109, 1576, 1644, 1691, 1807, 2029, 2088, 2073, 2105, 2111, 2245, 2246, 2309, 2312, 2406, 2459, 2461, 2464 and 2524; also, Senate Joint Resolutions Nos. 468, 470, 471 and 495; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 519, 945, 1505, 1544, 1616, 1642, 1688, 1808, 1908, 2009, 2033, 2048, 2136, 2137, 2138, 2139, 2140, 2141, 2143, 2180, 2241, 2249, 2363, 2470, 2416, 2449, 2452, 2476, 2477, 2478, 2487, 2488, 2499, 2492, 2493, 2497, 2498, 2501, 2502, 2503, 2506 and 2508; also, House Joint Resolutions Nos. 698, 699, 700, 701, 702, 703, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 753, 755, 756, 757, 758, 759, 761, 762, 763, 765, 771, 772, 773 and 779; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 423, 446, 458, 485, 500, 547, 568, 577, 584, 593, 594, 595, 596, 598, 616, 618, 627, 645, 785, 814, 815, 816, 817, 818, 819, 820, 821, 822, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 858 and 860; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

FRIDAY, APRIL 29, 1988 -- NINETIETH LEGISLATIVE DAY

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 1604, 1739, 2505, 2514, 2517, 2518, 2519 and 2520; also, House Joint Resolutions Nos. 518, 639, 688, 782, 783, 784, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 804, 805, 806, 807, 808, 810, 811, 812 and 813; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 1360, 1445, 1730, 2124 and 2224; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

I am directed by the Senate to notify the House that the Senate has completed its business and is ready to adjourn sine die in accordance with Senate Joint Resolution No. 321, as amended.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

JOURNAL APPROVED

On motion of Rep. Naifah, the Journal of the House of Representatives and the proceedings thereof were approved from the Forty-fourth through the Ninetieth Legislative Day of the Second Regular Session.

ADJOURNMENT

Thereupon, in accordance with Senate Joint Resolution No. 321, as amended, Mr. Speaker Murray declared the House of Representatives of the Ninety-fifth General Assembly adjourned sine die.

Ed Murray, Speaker
House of Representatives.

ATTEST:

BRYANT MILLSAPS, Chief Clerk
House of Representatives

FRIDAY, APRIL 29, 1988 -- NINETIETH LEGISLATIVE DAY

All bills and joint resolutions presented to the Governor subsequent to April 29, 1988, for his actions, being within ten days of the adjournment of the Second Regular Session of the Ninety-fifth General Assembly, prevents the return of said bills to the House within the ten-day period, and, accordingly, the final action taken by the Governor will be filed by him in the Secretary of State's Office, all in compliance with Article III, Section 18, relating to the Governor's Veto Power, of the Constitution of Tennessee.

**BILLS AND RESOLUTIONS ENROLLED
SIGNED, AND TRANSMITTED TO THE GOVERNOR**

SUBSEQUENT TO ADJOURNMENT SINE DIE

Appendix of House Bills and House Joint Resolutions presented to the Governor with his action as recorded in the Office of the Secretary of State in accordance with Article III, Section 18, of the Constitution of the State of Tennessee.

REPORT OF CHIEF ENGROSSING CLERK

May 2, 1988

MR SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 519, 945, 1505, 1544, 1604, 1618, 1642, 1739, 1768, 1938, 1956, 2009, 2033, 2048, 2136, 2137, 2138, 2139, 2140, 2141, 2143, 2180, 2241, 2268, 2363, 2370, 2416, 2449, 2452, 2476, 2477, 2478, 2487, 2488, 2489, 2492, 2493, 2497, 2498, 2501, 2502, 2503, 2505, 2506, 2508, 2514, 2517, 2518, 2519, 2520; and House Joint Resolutions Nos. 423, 446, 458, 485, 500, 518, 547, 568, 577, 584, 593, 594, 595, 596, 598, 616, 618, 627, 639, 645, 688, 698, 699, 700, 701, 702, 703, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 753, 755, 756, 757, 758, 759, 761, 762, 763, 765, 771, 772, 773, 779, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 804, 805, 806, 807, 808, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 858 and 860; for his action.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR

May 2, 1988

MR. SECRETARY OF STATE:

I am directed by the Governor to return herewith: House Bills Nos. 1642, 1739, 1938, 2009, 2033, 2048, 2136, 2137, 2138, 2139, 2140, 2141, 2143, 2180, 2241, 2363, 2449, 2452, 2477, 2478, 2487, 2488, 2489, 2492, 2493, 2497, 2498, 2501, 2502, 2503, 2505, 2506, 2514, 2517, 2518, 2519 and 2520, with his approval.

DAVID H. WELLES,
Counsel to the Governor.

FRIDAY, APRIL 29, 1988 -- NINETIETH LEGISLATIVE DAY

MESSAGE FROM THE GOVERNOR

May 2, 1988

MR. SECRETARY OF STATE:

I am directed by the Governor to return herewith: House Bill No. 2508 with his approval.

DAVID H. WELLES,
Counsel to the Governor.

ENROLLED BILLS

May 3, 1988

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 67, 75, 242, 255, 257, 347, 412, 602, 616, 1332, 1367, 1406, 1426, 1437, 1450, 1463, 1474, 1503, 1551, 1638, 1649, 1681, 1700, 1705, 1710, 1758, 1789, 1809, 1828, 1862, 1864, 1874, 1935, 2001, 2032, 2035, 2041, 2053, 2058, 2059, 2077, 2080, 2091, 2108, 2110, 2127, 2131, 2142, 2156, 2162, 2170, 2183, 2281, 2286, 2301, 2313, 2324, 2329, 2331, 2340, 2342, 2349, 2352, 2355, 2372, 2395, 2396, 2403, 2406, 2415, 2417, 2469, 2471, 2494, 2504, 2512, 2513, 2516, 2521, 2522, 2523, 2524, 2525, 2531, 2532, 2533, 2534; and House Joint Resolutions Nos. 422, 551, 622, 625, 647, 661, 767, 823, 857, 859; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR

May 4, 1988

MR. SECRETARY OF STATE:

I am directed by the Governor to return herewith: House Joint Resolutions Nos. 423, 446, 458, 485, 500, 518, 547, 568, 577, 584, 593, 594, 595, 596, 598, 616, 618, 627, 639, 645, 688, 698, 699, 700, 701, 702, 703, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 753, 755, 756, 757, 758, 759, 761, 762, 763, 765, 771, 772, 773, 779, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 804, 805, 806, 807, 808, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 858 and 860; with his approval.

DAVID H. WELLES,
Counsel to the Governor.

MESSAGE FROM THE SENATE

May 5, 1988

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No. 2290; for the signature of the Speaker

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

FRIDAY, APRIL 29, 1988 -- NINETIETH LEGISLATIVE DAY

**SIGNED
May 5, 1988**

The Speaker announced that he had signed the following: House Bills Nos. 1935, 2001, 2032, 2035, 2041, 2053, 2058, 2059, 2077, 2080, 2091, 2108, 2110, 2127, 2131, 2142, 2156, 2162, 2170, 2183, 2281, 2286, 2301, 2313, 2324, 2329, 2331, 2340, 2342, 2349, 2352, 2355, 2372, 2395, 2396, 2403, 2406, 2415, 2417, 2469, 2471, 2494, 2504, 2512, 2513, 2516, 2521, 2522, 2523, 2524, 2525, 2531, 2532, 2533 and 2534.

**SIGNED
May 5, 1988**

The Speaker announced that he had signed the following: House Bills Nos. 67, 75, 242, 255, 257, 347, 412, 602, 616, 1332, 1367, 1406, 1426, 1437, 1450, 1463, 1474, 1503, 1551, 1638, 1649, 1681, 1700, 1705, 1710, 1758, 1789, 1809, 1828, 1862, 1864 and 1874; House Joint Resolutions Nos. 422, 551, 622, 625, 647, 661, 767, 823, 857, and 859.

**MESSAGE FROM THE SENATE
May 5, 1988**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 122, 300, 311, 321, 332, 334, 341, 342, 365, 366, 399, 411, 413, 414, 418, 422, 443, 448, 453, 459, 469, 473, 474, 475, 477, 478, 479, 480, 481, 484, 485, 486, 491, 494, 496, 497, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538 and 539; all for the signature of the Speaker.

**CLYDE W. McCULLOUGH, JR.,
Chief Clerk.**

**MESSAGE FROM THE SENATE
May 5, 1988**

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 38, 203, 495, 967, 1130, 1136, 1243, 1378, 1410, 1578, 1675, 1693, 1744, 1756, 1782, 1869, 1929, 1936, 1957, 2050, 2144, 2175, 2269, 2284, 2316, 2509, 2519, 2535, 2541, 2551 and 2553; all for the signature of the Speaker.

**CLYDE W. McCULLOUGH, JR.,
Chief Clerk.**

**SIGNED
May 5, 1988**

The Speaker announced that he had signed the following: Senate Bills Nos. 583, 1109, 1360, 1445, 1576, 1644, 1691, 1730, 1807, 2029, 2068, 2073, 2105, 2111, 2124, 2224, 2245, 2246, 2309, 2312, 2406, 2459, 2464, 2524; and Senate Joint Resolutions Nos. 468, 470, 471, 495.

FRIDAY, APRIL 29, 1988 -- NINETIETH LEGISLATIVE DAY

**MESSAGE FROM THE SENATE
May 5, 1988**

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 67, 75, 242, 255, 257, 347, 412, 602, 616, 1332, 1367, 1406, 1426, 1437, 1450, 1463, 1474, 1503, 1551, 1638, 1649, 1681, 1700, 1705, 1710, 1758, 1789, 1809, 1828, 1862, 1864, 1874, 1935, 2001, 2032, 2035, 2053, 2058, 2059, 2077, 2080, 2091, 2108, 2110, 2127, 2131, 2142, 2156, 2162, 2170, 2183, 2281, 2286, 2301, 2313, 2324, 2329, 2331, 2340, 2342, 2349, 2352, 2355, 2372, 2395, 2396, 2403, 2406, 2415, 2417, 2469, 2471, 2494, 2504, 2512, 2513, 2516, 2521, 2522, 2523, 2524, 2525, 2531, 2532, 2533 and 2534; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**MESSAGE FROM THE GOVERNOR
May 5, 1988**

MR. SECRETARY OF STATE:

I am directed by the Governor to return herewith: House Bills Nos. 945, 2368 and 2416, with his approval.

DAVID H. WELLES,
Counsel to the Governor.

**MESSAGE FROM THE SENATE
May 5, 1988**

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 422, 551, 622, 625, 647, 661, 767, 823, 857 and 859; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.
Chief Clerk.

**REPORT OF CHIEF ENGROSSING CLERK
May 6, 1988**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 67, 75, 242, 255, 257, 347, 412, 602, 616, 1332, 1367, 1406, 1426, 1437, 1450, 1463, 1474, 1503, 1551, 1638, 1649, 1681, 1700, 1705, 1710, 1758, 1789, 1809, 1828, 1862, 1864, 1874, 1935, 2001, 2032, 2035, 2053, 2058, 2059, 2077, 2080, 2091, 2108, 2110, 2127, 2131, 2142, 2156, 2162, 2170, 2183, 2281, 2286, 2301, 2313, 2324, 2329, 2331, 2340, 2342, 2349, 2352, 2355, 2372, 2395, 2396, 2403, 2406, 2415, 2417, 2469, 2471, 2494, 2504, 2512, 2513, 2516, 2521, 2522, 2523, 2524, 2525, 2531, 2532, 2533, 2534; and House Joint Resolutions Nos. 422, 551, 622, 625, 647, 661, 767, 823, 857, 859; for his action.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

FRIDAY, APRIL 29, 1988 -- NINETIETH LEGISLATIVE DAY

MESSAGE FROM THE GOVERNOR

May 6, 1988

MR. SECRETARY OF STATE:

I am directed by the Governor to return herewith: House Bills Nos. 242, 1426, 1505, 1618, 1789, 1828, 1862, 1864, 1874, 2035, 2370, 2403, 2469, 2471, 2476, 2512, 2513, 2516, 2522, 2523, 2524, 2531, 2532, 2533, 2534, with his approval.

DAVID H. WELLES,
Counsel to the Governor.

SIGNED

May 9, 1988

The Speaker announced that he had signed the following: Senate Bills Nos. 38, 203, 495, 967, 1130, 1136, 1243, 1378, 1410, 1578, 1675, 1693, 1744, 1756, 1782, 1869, 1929, 1936, 1957, 2050, 2144, 2175, 2269, 2284, 2290, 2316, 2461, 2509, 2519, 2535, 2541, 2551 and 2553.

SIGNED

May 9, 1988

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 122, 300, 311, 321, 332, 334, 341, 342, 365, 366, 399, 411, 413, 414, 418, 422, 443, 448, 453, 459, 469, 473, 474, 475, 477, 478, 479, 480, 481, 484, 485, 486, 491, 494, 496, 497, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539.

MESSAGE FROM THE SENATE

May 10, 1988

MR. SPEAKER: I am directed to return to the House, House Bill No. 2041; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

May 10, 1988

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill No. 2041; for his action.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

FRIDAY, APRIL 29, 1988 -- NINETIETH LEGISLATIVE DAY

**MESSAGE FROM THE SENATE
May 11, 1988**

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 1079 and 2106; both for the signature of the Speaker.

CYLDE W. McCULLOUGH, JR.
Chief Clerk.

**SIGNED
May 11, 1988**

The Speaker announced that he had signed the following: Senate Bills Nos. 1079 and 2106.

**MESSAGE FROM THE GOVERNOR
May 12, 1988**

MR. SECRETARY OF STATE:

I am directed by the Governor to return herewith: House Bills Nos. 67, 75, 255, 257, 519, 602, 616, 1332, 1367, 1437, 1450, 1474, 1503, 1544, 1551, 1604, 1649, 1681, 1700, 1705, 1710, 1758, 1768, 1809, 1935, 2001, 2032, 2041, 2053, 2058, 2059, 2077, 2091, 2127, 2131, 2142, 2156, 2162, 2170, 2183, 2268, 2281, 2286, 2313, 2324, 2329, 2331, 2340, 2342, 2349, 2355, 2372, 2395, 2396, 2406, 2415, 2417, 2504, 2521 and 2525; with his approval.

DAVID H. WELLES,
Counsel to the Governor.

**MESSAGE FROM THE GOVERNOR
May 12, 1988**

MR. SECRETARY OF STATE:

I am directed by the Governor to return herewith: House Joint Resolutions Nos. 422, 551, 622, 625, 647, 661, 767, 823, 857 and 859; with his approval.

DAVID H. WELLES,
Counsel to the Governor.

**MESSAGE FROM THE GOVERNOR
May 16, 1988**

MR. SECRETARY OF STATE:

I am directed by the Governor to return herewith: House Bill No. 1956; without his signature.

DAVID H. WELLES,
Counsel to the Governor.

FRIDAY, APRIL 29, 1988 -- NINETIETH LEGISLATIVE DAY

The Honorable Gentry Crowell
Secretary of State
State Capitol
Nashville, TN 37219

Dear Mr. Crowell:

I am returning herewith House Bill 1956 without my signature. This bill began as a general bill authorizing local governments to impose impact fees for the construction of public facilities.

As amended, this bill applies only to one county. If impact fees are to be authorized in this state, I believe the law should apply statewide.

Sincerely,
/s/ Ned McWherter

MESSAGE FROM THE GOVERNOR
May 17, 1988

MR. SECRETARY OF STATE:

I am directed by the Governor to return herewith: House Bills Nos. 412, 2301, 2494 and 2108; with his approval.

DAVID H. WELLES,
Counsel to the Governor.

MESSAGE FROM THE GOVERNOR
May 18, 1988

MR. SECRETARY OF STATE:

I am directed by the Governor to return herewith: House Bills Nos. 347, 1406, 1463, 1638, 2080, 2110 and 2352; with his approval.

DAVID H. WELLES,
Counsel to the Governor.

ENROLLED BILLS
May 20, 1988

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill No. 2475 and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS,
Chief Engrossing Clerk

FRIDAY, APRIL 29, 1988 -- NINETIETH LEGISLATIVE DAY

SIGNED
May 24, 1988

The Speaker announced that he had signed the following: House Bill No. 2475.

MESSAGE FROM THE SENATE
May 27, 1988

MR. SPEAKER: I am directed to return to the House, House Bill No. 2475; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK
May 31, 1988

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill No. 2475; for his action.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR
June 7, 1988

MR. SECRETARY OF STATE:

I am directed by the Governor to return herewith: House Bill No. 2475; with his approval.

DAVID H. WELLES,
Counsel to the Governor.

APPENDIX OF SELECT COMMITTEE APPOINTMENTS

Continues Task Force on Teen Pregnancy (**HR 16 of 1987**): Representatives DeBerry, Williams, Pruitt, Drew, Duer, Peroulas and Garrett. Report by third legislative day of 96th General Assembly.

Continues Select Committee on urban economic and community development (**HR 19 of 1987**): Representatives C. Turner (Shelby), Copeland, Byrd, J. K. Davis (Knox), U. Jones (Shelby), Love and Yelton. No reporting date set.

House Committee to study odometer tampering (**HR 109**): Representatives Ridgeway, Head, R. E. Davis (Cocke), Jackson, Hassell, C. Moore (Lawrence) and Moody. Report by February 1, 1989.

House Committee to study affixation of motor vehicle license revalidation decals (**HR 115**): Representatives King, Kent, Ellis, Purcell and Severance. Report by February 1, 1989.

House Committee to study quality of motor fuel (**HR 133**): Representatives Stallings, Ruth Robinson (Washington), Hillis, Miller, Robb Robinson (Davidson) and Good. Report by February 1, 1989.

Joint Committee to study nonpublic post-secondary vocational education institutions (**HJR 67**): Representatives DeBerry, Winningham and Whitson. Report by January 19, 1989.

Joint Committee to study historical preservation in Tennessee (**HJR 71 of 1987**): Representatives Odom, Bragg and Scruggs. Report by February 1989.

Continues Joint Committee to study mental retardation delivery systems (**HJR 422**): Representatives Burnett, Henry, Naifeh and Chiles. Report by February 1, 1989.

Continues Joint Committee to study future of agricultural economy (**HJR 500**): Representatives Ray Davis, Stallings, Hobbs and Lawson. Report by February 1, 1989.

Continues Joint Committee to study AFDC, public assistance, and other related topics (**HJR 518**): Representatives Starnes, Pruitt, Curlee and Nance. Report by February 1, 1989.

Continues and expands Joint Committee to relative to reduction of hazardous waste (**HJR 547**): Representatives Hillis, Kernell, Wheeler and U. A. Moore (Shelby); Speaker Murray (ex-officio). Report by February 1, 1989.

Joint Committee to study certification and/or licensure of real estate appraisers (**HJR 551**): Representatives Hobbs, Phillips, Shirley, Peroulas and Henry. Report by March 1, 1989.

Directs Education Oversight Committee to study speech and language services in schools (**HJR 584**): Representatives Davidson, Bragg, Copeland, Rhinehart, C.B. Robinson (Hamilton), Starnes, Whitson, and Winningham. No reporting date set.

FRIDAY, APRIL 29, 1988 -- NINETIETH LEGISLATIVE DAY

Joint Committee to study consolidation of all state fire agencies into one agency (**HJR 618**): Representatives Bragg, U. Jones (Shelby) and Ussery. Report by January 1, 1989.

Continues Joint Committee on employment training (**HJR 625**): Representatives Kernell, Phillips, Ellis, Henry and J. K. Davis (Knox). Report by February 1, 1989.

Continues Joint Committee on the need for aid to the handicapped (**HJR 639**): Representatives B. Turner (Hamilton), Bell and Yelton. Report by February 1, 1989.

Joint Committee to study the need for a sports authority (**HJR 661**): Representatives Miller, C. Turner (Shelby), Scruggs, West, Dixon and Huskey. Report by February 1, 1989.

Joint Committee on AIDS related issues (**SJR 122**): Representatives Cain, Chiles and Starnes. Report by February 1, 1989.

Continues Joint Committee to study business tax (**SJR 334**): Representatives Kisber, Bragg, Copeland, Curlee, R. Jones (Shelby), B. Turner (Hamilton), West and Naifeh. Report by February 1, 1989.

Continues Joint Committee on Tennessee's agricultural economy (**SJR 342**): Representatives Ray Davis (Gibson), Stallings, Hobbs and Lawson. Report by February 1, 1989.

Continues Joint Committee on mental health service delivery systems and expands it to include alcohol and drug abuse treatment (**SJR 366**): Representatives Garrett, Dixon and Holcomb. Report by February 1, 1989.

Joint Committee to study electric cooperatives (**SJR 413**): Representatives Bell, Kisber, Ray Davis (Gibson). Report by February 1, 1989.

Special Committee to study administration of regulatory boards, commissions and entities (**SJR 414**): Representatives Kisber, King and Scruggs. Report by February 1, 1989.

Urges State Insurance Committee to examine state preferred provider network and appropriate legislative committees to study preferred provider organizations (**SJR 421**): Members of House General Welfare Committee Representatives Starnes, Dixon, Pruitt, Bushing, Cain, Chiles, Coffey, DeBerry, Drew, Duer, Gaia, Harrill, Holcomb, Jackson, Montgomery, Odom, Purcell, Ruth Robinson (Washington), Wheeler and Wolfe. No report date set.

Joint Committee to study commuter rail service (**SJR 422**): Representatives Head, Chiles and Robb Robinson (Davidson). Report by January 15, 1989.

Special Committee to review the University of Tennessee Agricultural Extension Service (**SJR 443**): Representatives Ray Davis (Gibson) and Hawkins. Report by February 1, 1989.

Special Committee to study relocation of utility facilities located in highway rights of way which are part of construction projects (**SJR 453**): Representatives Rhinehart, Crain and Wood. Report by January 1, 1989.

FRIDAY, APRIL 29, 1988 -- NINETIETH LEGISLATIVE DAY

Select Committee on Children and Youth to develop comprehensive state policy (Ch. 348, Acts 1987): Representatives Starnes, Whitson, Bragg, Collier, Bushing, Purcell, B. Turner, K. Williams and DeBerry. Terminates by January 15, 1991.

Select Oversight Committee on Corrections (Pub. Ch. 5, Acts 1985, 1st E. S.): Representatives Naifeh, Copeland, DeBerry, Rhinehart and Wix. Terminates at the adjournment of the 96th General Assembly.

Select Oversight Committee on Education (Pub. Ch. 7, Acts 1984, 1st E. S.): Representatives Davidson, Bragg, Copeland, Rhinehart, C. B. Robinson (Hamilton), Starnes, Whitson and Winningham. Report annually.